

area, rain garden and parking area. The average use is estimated at less than 20 visitors per day. The conservation area provides a connection to the Wietor Wharf Park boardwalk and fishing area. The Village of Howard has added a picnic shelter and parking lot, see Figure 4-3. The intent is to create expanded access to the Duck Creek shoreline for hiking, nature observation/study, fishing, hunting, and canoeing. The Village has also recently designated a portion of this area as a dog park, which includes a completely enclosed area as well as a semi-enclosed area with woods and a walking trail for dogs. Future expansion depends largely on acquisition of a privately owned parcel adjacent to the conservation area.

Section 4(f) is applicable for the Gordon Nauman Conservation Area because it is a publicly owned, locally designated wildlife and waterfowl preserve that also allows incidental recreation such as hiking, bird watching, wildlife observation, and picnics. No LWCF or similar funds were used in acquisition or development of the nature area; therefore LWCF Section 6(f) or similar requirements do not apply.

See Section 4.3 for a discussion of impacts to the Gordon Nauman Conservation Area.

Figure 4-3 – Gordon Nauman Conservation Area



Wietor Wharf Park

The 3 acre Wietor Wharf Park is located on the south side of Duck Creek in the northwest quadrant of the I-43 interchange. The park was developed by the Village of Howard on land owned by WisDOT and leased to the village under a lease agreement that needs to be renewed every 5 years, and can be terminated by WisDOT at any time. Existing access is from Wietor Drive which follows I-43 and connects to Military Avenue. According to the Village of Howard, the park's existing and planned use is passive recreation. As shown in Figure 4-4, this site provides fishing access to Duck Creek and it has two fishing piers, a boardwalk and a picnic area. The average use is estimated at less than 20 visitors per day. Dingell-Johnson funds were used for park enhancements (boardwalks).

Figure 4-4 – Wietor Wharf Park



Since Wietor Wharf Park is located on property owned by WisDOT and leased to the Village of Howard under a short-term revocable lease agreement, Section 4(f) does not apply to this park. The revocable lease is required to be renewed every 5 years and allows the Village of Howard to use the land for a hiking trail, picnic area and fishing pier until required for highway use or until the the lease is otherwise terminated. No LWCF funds were used in development of the park; therefore LWCF Section 6(f) requirements do not apply. Enhancements made with Dingell-Johnson funds would require compensation if such enhancements are impacted by the US 41 project.

See Section 4.3 for a discussion of impacts to Wietor Wharf Park.

Deerfield Docks Park

The 3 acre Deerfield Docks facility is located on the west side of US 41, north of the I-43 interchange. The park was developed by the Village of Howard on land owned by WisDOT and leased to the village under a lease agreement that needs to be renewed every 5 years. Deerfield Docks is listed as a park by the Village of Howard Parks Division. Existing access is from West Deerfield Avenue. According to the Village of Howard, the park's existing and planned use is passive recreation. This site provides fishing access to Duck Creek and the Bay of Green Bay via the Duck Creek Slough and Peats Lake. As shown in Figure 4-5, facilities include a boardwalk, picnic area, offshore fishing, canoe access, snowmobile and fishing access. The average use is estimated at less than 20 visitors per day. Dingell-Johnson funds were used for park enhancements (boardwalks and fishing pier).

Figure 4-5 – Deerfield Docks Park



Since Deerfield Docks Park is located on property owned by WisDOT and leased to the Village of Howard under a short-term revocable lease agreement, Section 4(f) does not apply to this park. The revocable lease is required to be renewed every 5 years and allows the Village of Howard to use the land for a hiking trail, picnic area and fishing pier until required for highway use or until the the lease is otherwise terminated. No LWCF funds were used in development of the facility; therefore LWCF Section 6(f) requirements do not apply. Enhancements made with Dingell-Johnson funds would require compensation if such enhancements are impacted by the US 41 project.

See Section 4.3 for a discussion of impacts to the Deerfield Docks facility.

Green Bay West Shores Wildlife Area (Peats Lake Unit)

The Peats Lake Unit of the Green Bay West Shores Wildlife Area currently consists of approximately 925 acres (450 acres owned by DNR and 475 acres owned by Brown County). Land acquisition began in 1983 and has continued as parcels become available. The goal is to ultimately acquire about 1,200 acres. Funding from state and federal programs is being used to purchase the land. The function of state wildlife areas is to preserve and manage wildlife and waterfowl habitat while also providing an opportunity for compatible recreational use such as hunting, trapping, hiking, fishing, wildlife viewing, bird watching, canoeing, and cross country skiing.

Three separate properties within the Peats Lake Unit are within the area of potential effect for the proposed US 41 improvements (The three properties are numbered on Figure 3-8 for reference purposes). These properties as described below are owned and administered by DNR. All three properties are denoted on DNR's Peats Lake Unit map as "open wildlife land".

Peats Lake Unit Property #1 is an approximate 12 acre parcel located in the northeast quadrant of the I-43 interchange at the west end of the I-43 frontage road (Hurlbut Street). This property was purchased with LWCF and ORAP funds.

Section 4(f) is applicable to this property because it is a publicly owned, state designated wildlife and waterfowl management area for the conservation and restoration of wildlife and waterfowl resources that also supports incidental recreation such as hiking, bird watching, and wildlife observation. Because LWCF funds were used in the acquisition of this property, the requirements of LWCF Section 6(f) apply. Similar compensation requirements also apply due to ORAP funds used to acquire this property.

See Section 4.3 for a discussion of impacts to this property.

Peats Lake Unit Property #2 includes parcels totaling approximately 159 acres located along the west side of US 41 between the I-43 interchange and County EB. Access is provided from the US 41 west frontage road (West Deerfield Avenue). No LWCF or similar funds were used in the acquisition of this property.

Section 4(f) is applicable to this property because it is a publicly owned, state designated wildlife and waterfowl management area for the conservation and restoration of wildlife and waterfowl resources that also supports incidental recreation such as hiking, bird watching, and wildlife observation. Because no LWCF funds were used in the acquisition of this property, the requirements of LWCF Section 6(f) do not apply. No similar funds were used in the acquisition of this property; therefore there are no other compensation requirements that are applicable based on funding programs similar to LWCF.

No impacts will occur to this property and no further evaluation is required.

Peats Lake Unit Property #3 includes parcels totaling approximately 194 acres located along the east side of US 41 between the I-43 interchange and County EB. Access is provided from the US 41 east frontage road (East Deerfield Avenue). This property was purchased with Pittman-Robertson and ORAP funds. No LWCF funds were used.

Section 4(f) is applicable to this property because it is a publicly owned, state designated wildlife and waterfowl management area for the conservation and restoration of wildlife and waterfowl resources that also supports incidental recreation such as hiking, bird watching, and wildlife observation. Because no LWCF funds were used in the acquisition of this property, the requirements of LWCF Section 6(f) do not apply. However, compensation requirements similar to those under LWCF do apply because Pittman-Robertson and ORAP funds were used to acquire the property.

See Section 4.3 for a discussion of impacts to this property.

4.3 Proposed Action/Impacts to Publicly Owned Resources

Reconstruction of the I-43 interchange under Alternatives D and E has potential impacts to the Gordon Nauman Conservation Area, Wietor Wharf Park, Deerfield Docks, and Peats Lake Unit properties 1 and 3 in the Green Bay West Shores Wildlife Area. There will be no impacts to the remaining publicly owned resources.

The proposed action and potential impacts to public use lands as presented in the Draft EIS are described below. Updated public use land impacts for Preferred Alternative E are discussed in new Final EIS subsection 4.7.

Gordon Nauman Conservation Area

As noted in Section 4.2, the Gordon Nauman Conservation Area is a Section 4(f) property. Impacts of the proposed improvements in the vicinity of the Gordon Nauman Conservation Area under Alternative D, are shown in Exhibit 4-1 (Page 4-14), and include the following:

- Construction of the new US 41 southbound collector/distributor roadway requires approximately 0.55 acres of right-of-way from the conservation area
- Access and usage of the conservation area will not change

Impacts of the proposed improvements in the vicinity of the Gordon Nauman Conservation Area under Alternative E, are shown in Exhibit 4-2 (Page 4-15), and include the following:

- Construction of the new US 41 southbound exit ramp requires approximately 1.1 acres of right-of-way from the conservation area
- Access and usage of the conservation area will not change

Wietor Wharf Park

As noted in Section 4.2, Wietor Wharf Park is not a Section 4(f) property. Because Dingell-Johnson funds were used for the boardwalk, compensation requirements similar to those under Section 6(f) of the LWCF Act are applicable.

Impacts of the proposed improvements in the vicinity of the Wietor Wharf Park under Alternative D, are shown in Exhibit 4-1 (Page 4-14), and include the following:

- Construction of the new US 41 southbound collector/distributor roadway will impact approximately 0.77 acres of the park
- Approximately 50 linear feet of the existing boardwalk will be impacted
- Access and usage of the park will not change

Impacts of the proposed improvements in the vicinity of the Wietor Wharf Park under Alternative E, are shown in Exhibit 4-2 (Page 4-15), and include the following:

- Construction of the new US 41 southbound exit ramp will impact approximately 0.40 acres of the park.
- There will be no impacts to the existing boardwalk or other enhancements
- Access and usage of the park will not change

Deerfield Docks Park

As noted in Section 4.2, Wietor Wharf Park is not a Section 4(f) property. Because Dingell-Johnson funds were used for the boardwalk, compensation requirements similar to Section 6(f) of the LWCF Act are applicable.

Impacts of the proposed improvements in the vicinity of the Deerfield Docks Park under Alternative D, are shown in Exhibit 4-1 (Page 4-14), and include the following:

- Construction of the new US 41 southbound collector/distributor roadway will impact approximately 0.56 acres of the park
- Approximately 325 linear feet of the existing boardwalk will be impacted
- Access and usage of the park will not change

Impacts of the proposed improvements in the vicinity of the Deerfield Docks under Alternative E, are shown in Exhibit 4-2 (Page 4-15), and include the following:

- Construction of the new US 41 southbound exit ramp will impact approximately 0.09 acres of the park.
- There will be no impacts to the existing boardwalk or other enhancements.
- Access and usage of the park will not change

Peats Lake Unit Property #1

As noted in Section 4.2, this property is a Section 4(f) property. In addition LWCF and ORAP funds were used to purchase this property; therefore compensation requirements under Section 6(f) of the LWCF Act and similar compensation under the ORAP program are applicable.

Impacts of the proposed improvements in the vicinity of the Peats Lake Unit property #1 under Alternative D, are shown in Exhibit 4-1 (Page 4-14), and include the following:

- Construction of the new I-43 northbound to US 41 northbound ramp requires approximately 5.5 acres of right-of-way from this 11.8 acre parcel

Impacts of the proposed improvements in the vicinity of the Peats Lake Unit property #1 under Alternative E, are shown in Exhibit 4-2 (Page 4-15), and include the following:

- Construction of the new I-43 northbound to US 41 southbound ramp requires approximately 9.3 acres of right-of-way from this 11.8 acre parcel

Peats Lake Unit Property #3

As noted in Section 4.2, this property is a Section 4(f) property. In addition Pittman-Robertson and ORAP funds were used to purchase this property; therefore compensation requirements similar to Section 6(f) of the LWCF Act are applicable.

Impacts of the proposed improvements in the vicinity of the Peats Lake Unit property #3 under Alternative D, are shown in Exhibit 4-1 (Page 4-14), and include the following:

- Construction of the new US 41 northbound lanes over Duck Creek will impact approximately 1.0 acres of this parcel
- The cul-de-sac on East Deerfield Avenue will be moved approximately 800 feet to the north thus reducing the length of frontage road currently occupying this parcel

Impacts of the proposed improvements in the vicinity of the Peats Lake Unit property #3 under Alternative E, are shown in Exhibit 4-2 (Page 4-15), and include the following:

- Construction of the new US 41 northbound lanes over Duck Creek will impact approximately 1.3 acres of this parcel
- The cul-de-sac on East Deerfield Avenue will be moved approximately 800 feet to the north thus reducing the length of frontage road currently occupying this parcel

4.4 Avoidance / Other Alternatives

The No Build Alternative would avoid impacts to Section 4(f) and Section 6(f) resources. As discussed in Section 2, the No Build Alternative would fail to address key purpose and need factors such as providing additional capacity on US 41, improving traffic flow and safety, and addressing geometric and operational deficiencies.

Due to the close proximity of the Section 4(f) and Section 6(f) resources to the existing freeway and its interchanges, there are no feasible and prudent Build Alternatives that would completely avoid impacts to these resources. Realignment of the existing US 41 freeway mainline and the existing US 141/Velp Avenue and I-43 interchanges to avoid impacts to these resources is not feasible or prudent.

A lower level of improvement as described in Section 2.3.1 would include CD roads or auxiliary lanes and minor improvements to the US 141/Velp Avenue and I-43 interchanges, but no additional capacity on the US 41 mainline. While this alternative would avoid Section 4(f) and Section 6(f) resources, it was eliminated from further consideration because it would not address the need for additional capacity on US 41 to accommodate design year traffic volumes.

Build Alternative B would have the least overall impact on Section 4(f) and Section 6(f) resources (total of 2.2 acres of impact) and would avoid impacts to the Peats Lake Unit parcels along I-43 and along the west side of US 41. As discussed in Section 2, Alternative B was eliminated from further consideration primarily because it would not address operational and safety issues resulting from the short weaving section along the US 41 mainline.

Build Alternative C would have the greatest overall impact on Section 4(f) and Section 6(f) resources (total of 13.6 acres of impact). As discussed in Section 2, one of the main reasons for eliminating Alternative C from further consideration was its magnitude of impacts to Section 4(f) and Section 6(f) resources compared to Alternatives D and E that were retained for further evaluation.

Under Build Alternatives D and E, impacts to Lehner Park have been avoided by shifting the US 41 alignment slightly to the west and utilizing retaining walls along the outside of the northbound off ramp.

4.5 Measures to Minimize Adverse Impacts

Alternatives D and E were designed to minimize impacts to Section 4(f) and/or Section 6(f) resources to the maximum extent practicable. Specific measures to minimize impacts include the following:

Alternative D

- Using a bridge instead of fill embankment along the proposed ramp from northbound I-43 to northbound US 41 minimizes impacts to Peats Lake Unit property #1
- Use of retaining walls along southbound US 41 minimizes impacts to Wietor Wharf Park and Deerfield Docks
- Use of beamguard in high fill areas to allow for steeper slopes minimizes impacts to the Gordon Nauman Conservation Area and Peats Lake Unit property #3

Alternative E

- Lengthening the following structures instead of using embankment fill:
 - Northbound I-43 to northbound US 41 (minimizes impacts to Peats Lake Unit property #1)
 - Southbound US 41 off-ramp to US 141/Velp Avenue (minimizes impacts to the Gordon Nauman Conservation Area).
- Use of retaining walls along southbound US 41 (minimizes impacts to Wietor Wharf Park and Deerfield Docks)
- Use of beamguard in high fill areas to allow for steeper slopes (minimizes impacts to Peats Lake Unit property #3).

In recognition of potentially unavoidable impacts to the DNR Peats Lake Unit properties under the Build Alternatives for the US 41 Memorial Drive to County M project, WisDOT proactively purchased a replacement parcel in consultation with DNR to mitigate the impacts during the project's EIS phase. The approximate 18-acre "Peters" parcel is located at County M/Lineville Road and Bayshore Drive (See Exhibit 4-3 – "Peters" Parcel for Section 6(f) mitigation, page 4-17). The site is a mix of shrub-scrub and shallow marsh wetland. As noted previously, Alternative D would impact a total of 6.5 acres from the Peats Lake Unit properties and Alternative E would impact a total of 10.6 acres. Therefore, the replacement "Peters" parcel will fully compensate the impacts of these alternatives.

As noted previously, Alternative D would impact 0.55 acres at the Gordon Nauman Conservation Area, 0.77 acres at Wietor Wharf Park, and 0.56 acres at Deerfield Docks Park. In addition, Alternative D would affect approximately 50 linear feet of existing boardwalk at Wietor Wharf Park and approximately 325 linear feet of boardwalk at Deerfield Docks Park. Alternative E would impact 1.1 acres at the Gordon Nauman Conservation Area, 0.40 acres at Wietor Wharf Park, and 0.09 acres at Deerfield Docks Park. Alternative E would not impact the existing boardwalk at Wietor Wharf Park, and impacts to the boardwalk in Deerfield Docks park can be avoided assuming a short section of retaining wall is used.

The boardwalks in Wietor Wharf Park and Deerfield Docks Park would be re-established under both Alternatives D and E.

WisDOT discussed additional potential mitigation options with the Village of Howard for Section 4(f) impacts at the Gordon Nauman Conservation Area, and for impacts at Wietor Wharf Park and Deerfield Docks Park which were subsequently determined by FHWA to not be subject to Section 4(f) requirements. See Section 4.6 for more information. Potential mitigation options recommended by the Village of Howard include the following:

- A bicycle/pedestrian bridge over Duck Creek (attached to the proposed US 41 structure), along with connections to the boardwalks in Wietor Wharf Park and Deerfield Docks Park
- Paving of Wietor Drive from west of US 41 to the existing cul-de-sac
- WisDOT purchase of a parcel of land adjacent to the Gordon Nauman Conservation Area, with the intention of allowing the Village of Howard to lease this parcel from WisDOT
- Access path under US 41 along the north side of Duck Creek, potentially connecting the Deerfield Docks area west of US 41 to the East Deerfield Avenue cul-de-sac east of US 41

See Exhibit 4-4 (Page 4-18) for the letter sent from the Village of Howard to WisDOT listing their Section 4(f) mitigation requests, along with WisDOT response letter outlining which requests would qualify for Section 4(f) mitigation.

Since the Draft EIS, the proposed mitigation measures noted above have been finalized by WisDOT in consultation with the Village of Howard. See new Final EIS section 4.8 for updated information.

4.6 Coordination

WisDOT coordinated with the DNR property manager and a DNR real estate specialist on June 24, 2008 concerning WisDOT acquisition of the "Peters" parcel to mitigate impacts to the Peats Lake Unit properties. DNR concurred in acquisition of the "Peters" parcel and its suitability for mitigation. However, because the impacted Peats Lake Unit properties involve LWCF funding, DNR noted that final approval of using the Peters parcel for Section 6(f) compensation would need to be concurred in by the National Park Service.

WisDOT met with the Village of Howard on November 5, 2010 to review the current build alternatives and to provide an update on the impacts to the Gordon Nauman Conservation Area, Wietor Wharf Park and Deerfield Docks Park. Potential mitigation/enhancement measures were also discussed (see Section 4.5 for additional information).

On November 19, 2010, the Village of Howard sent a letter to WisDOT indicating no objection to proposed improvements under Alternatives D and E in the vicinity of the Gordon Nauman Conservation Area, Wietor Wharf Park and Deerfield Docks Park. In addition, in this letter the Village of Howard recommended several measures to mitigate impacts to the Gordon Nauman Conservation Area, Wietor Wharf Park and Deerfield Docks Park for Alternatives D and E (see Section 4.5 for more information). This letter and WisDOT's response is included in Exhibit 4-4 (Page 4-18).

On October 1, 2010, WisDOT sent a letter to the National Park Service notifying them about the proposed project, current build alternatives, and potential impacts on lands funded with LWCF, ORAP, Pittman-Robertson, and Dingell-Johnson funds. Information on the proposed "Peters" compensation parcel was also provided.

Further coordination with DNR and the National Park Service in the engineering design phase will determine if any other compensation is required.

4.7 Updated Public Use Land Impacts for Preferred Alternative E

Build Alternatives D and E as described in Section 2, remained under consideration through the public hearing held on March 2, 2011. After reviewing public and agency input received during the public hearing and Draft EIS comment period that ended on March 28, 2011, WisDOT and FHWA selected Alternative E, with refinements, as the preferred alternative. See EIS subsection 2.4.2 for more information.

The design refinements/updates to Alternative E listed below have resulted in some changes to public use land impacts from those reported in the Draft EIS.

Bicycle/Pedestrian Accommodations

Previously proposed bicycle/pedestrian accommodations at the I-43 interchange under Alternatives D and E are shown in Exhibits 4-1 (Page 4-14) and 4-2 (Page 4-15). Based on additional coordination with the Village of Howard and more design detail for Preferred Alternative E since the Draft EIS, the proposed bicycle/pedestrian accommodations have been updated as shown in new Exhibit 4-2A (Page 4-16). The main update was extending the bicycle/pedestrian path to the east side of US 41 where it would connect with the East Deerfield Avenue frontage road.

The updated bicycle/pedestrian path shown in Exhibit 4-2A would be located mostly within the impact footprint for the US 41 improvements under Preferred Alternative E. Therefore, only negligible additional impacts to wetlands and to the DNR Peats Lake Unit Property #3 (east of US 41 and north of Duck Creek) would occur.

Maintenance Access Roads

Since the Draft EIS, WisDOT has identified possible locations for permanent access roads that will be needed for maintenance access and protection of the new structures at the I-43 interchange under Alternatives D and E. See new Final EIS subsection 3.18.10 and Exhibits 3-10 and 3-11 for more information.

Under Preferred Alternative E, the maintenance access road for the northbound I-43 to southbound US 41 flyover ramp will require approximately 1.1 acres of additional permanent fill/right-of-way acquisition at the DNR Peats Lake Unit Property #1 in the southeast quadrant of the I-43 interchange.

In summary, Preferred Alternative E as updated and refined will have the following impacts to public use lands. These impacts are also displayed in the impact table in Exhibit S-3.

Gordon Nauman Conservation Area

- Construction of the new US 41 southbound exit ramp requires approximately 1.1 acres of right-of-way from this resource (same as Draft EIS).

Wietor Wharf Park

- Construction of the new US 41 southbound exit ramp will impact approximately 0.75 acres of this park (0.40 acres previously reported in Draft EIS).
- There will be no impacts to the existing boardwalk or other enhancements (same as Draft EIS).
- Access and usage of the park will not change.

Deerfield Docks

- Construction of the new US 41 southbound exit ramp will impact approximately 0.48 acres of this park (0.09 acres previously reported in Draft EIS).
- There will be no impacts to the existing boardwalk or other enhancements (same as Draft EIS).
- Access and usage of the park will not change.

Peats Lake Unit Property #1

- Construction of the new northbound I-43 to southbound US 41 flyover ramp requires approximately 9.2 acres of right-of-way from this property (9.3 acres previously reported in Draft EIS).
- Construction of permanent maintenance access roads for the new flyover ramps will require approximately 1.1 acres of additional fill/right-of-way acquisition at this resource (not previously reported in Draft EIS).

Peats Lake Unit Property #3

- Construction of the new US 41 northbound lanes over Duck Creek will impact approximately 2.25 acres of this parcel (1.3 acres previously reported in Draft EIS).
- The cul-de-sac on East Deerfield Avenue will be moved approximately 800 feet to the north, thus reducing the length of frontage road currently occupying this parcel (same as Draft EIS).

4.8 Updated Mitigation Measures for Preferred Alternative E

The preliminary mitigation measures for impacts to the Gordon Nauman Conservation Area, Wietor Wharf Park, and Deerfield Docks Park as discussed in section 4.5 have been updated based on additional coordination with the Village of Howard. The updated mitigation measures include the following:

- Construction of a bicycle/pedestrian path crossing at Duck Creek and path connections to the Wietor Wharf and Deerfield Docks areas.
- Construction of an access path under US 41 along the north side of Duck Creek, connecting the Deerfield Docks area west of US 41 to the East Deerfield Avenue cul-de-sac east of US 41.

Previously proposed paving of Wietor Drive from west of US 41 to the cul-de-sac east of US 41 and purchase of a parcel adjacent to the Gordon Nauman Conservation Area are no longer being proposed as mitigation measures.

The Village of Howard concurred in the updated mitigation measures on May 18, 2011. See new Final EIS Exhibit 4-5 (Page 22).

4.9 Conclusion

Based upon the above considerations, there is no feasible and prudent alternative to the use of land from the Gordon Nauman Conservation Area, Wietor Wharf Park, Deerfield Docks Park, or the Peat's Lake Unit properties under Preferred Alternative E. The proposed action includes all possible planning to minimize harm to these properties resulting from such use.

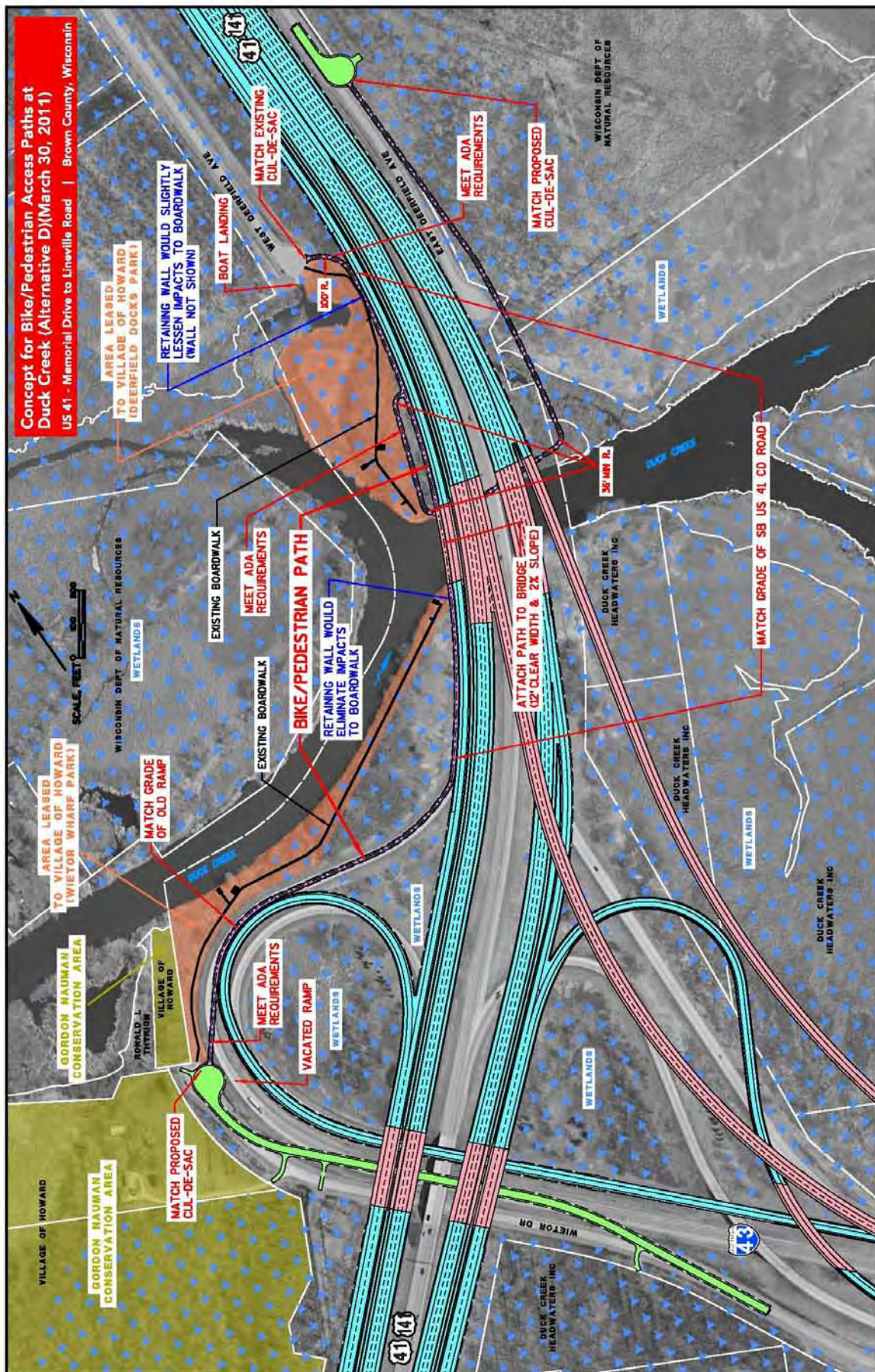


Exhibit 4-1

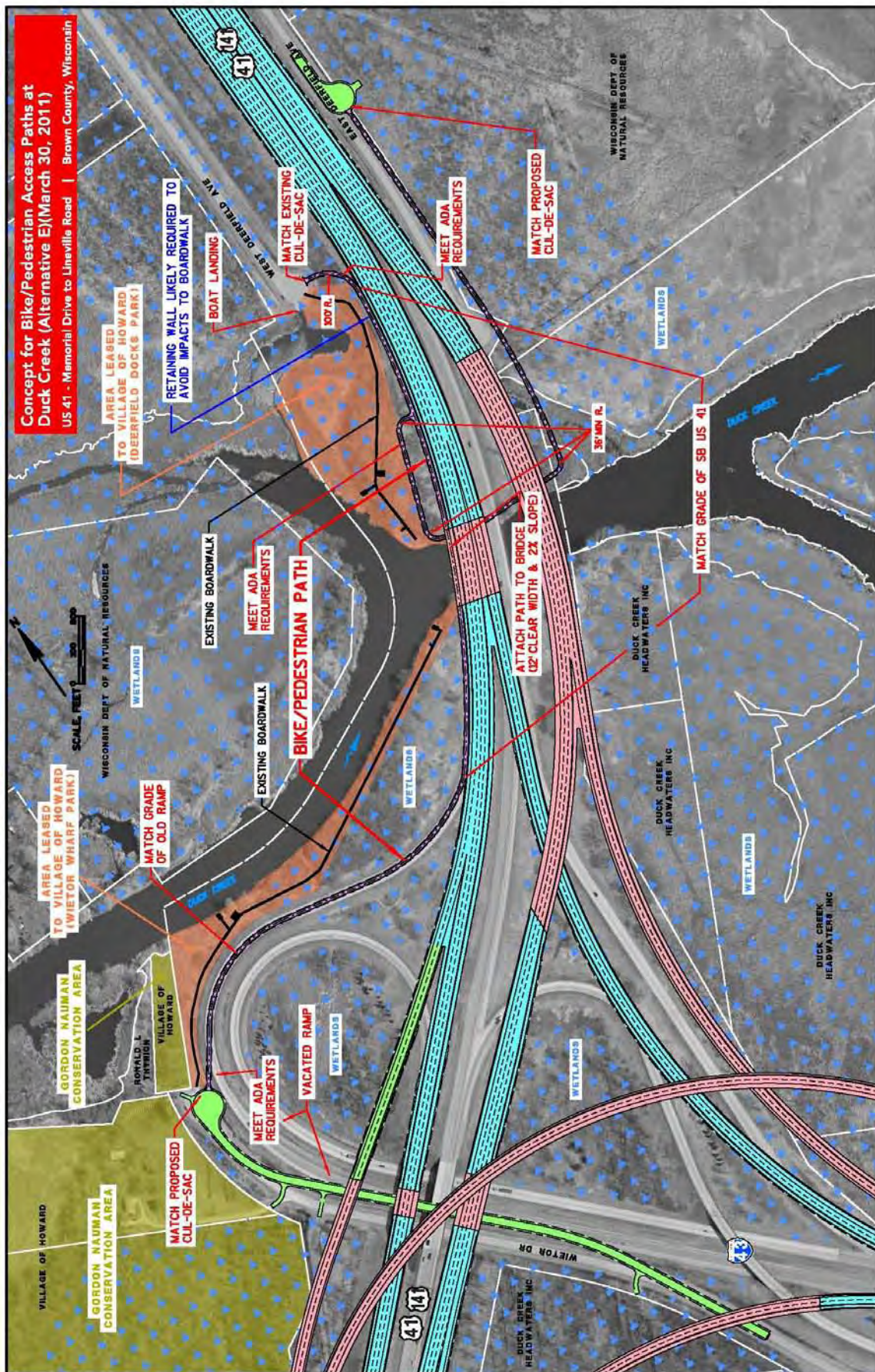


Exhibit 4-2

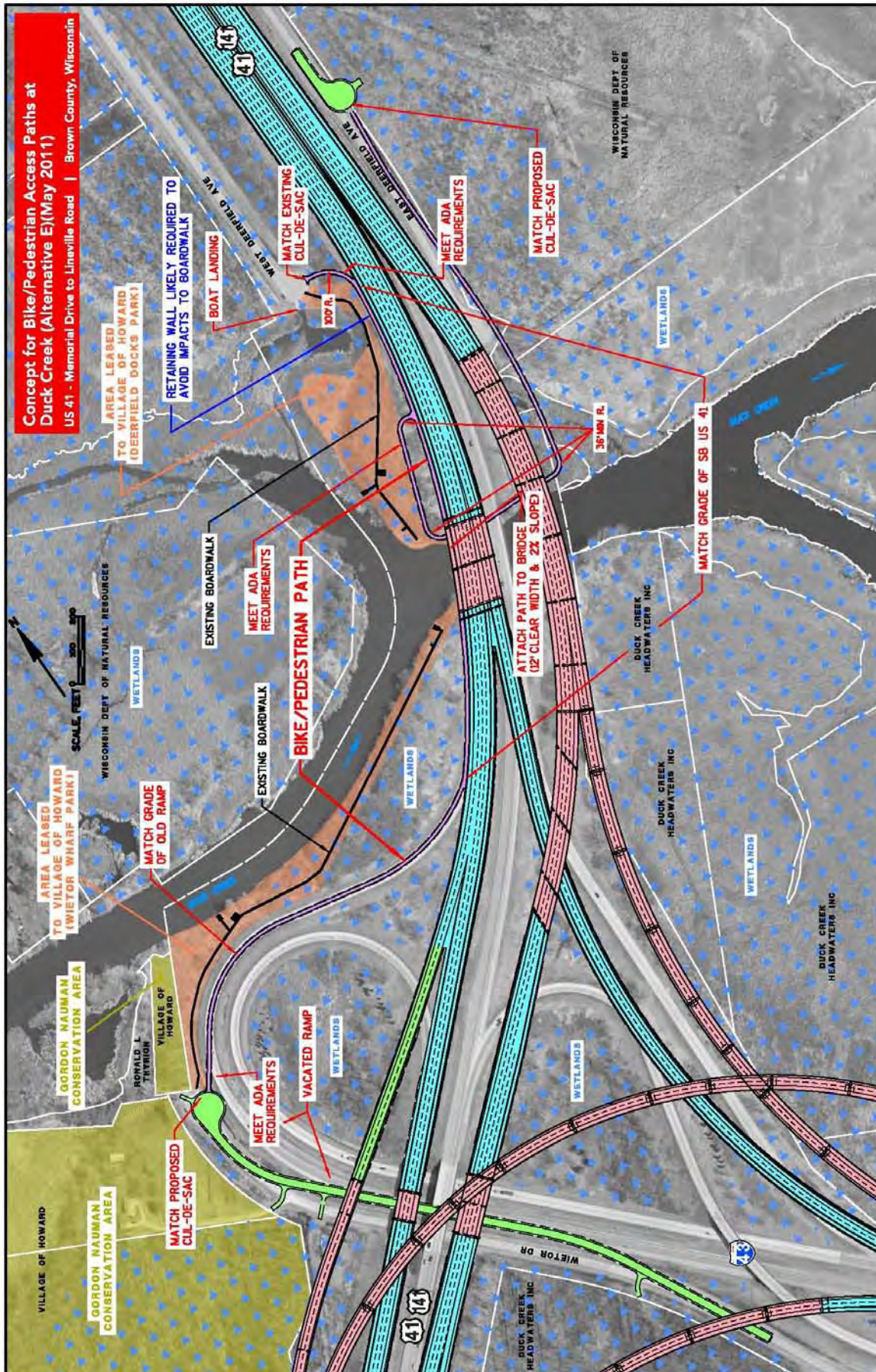
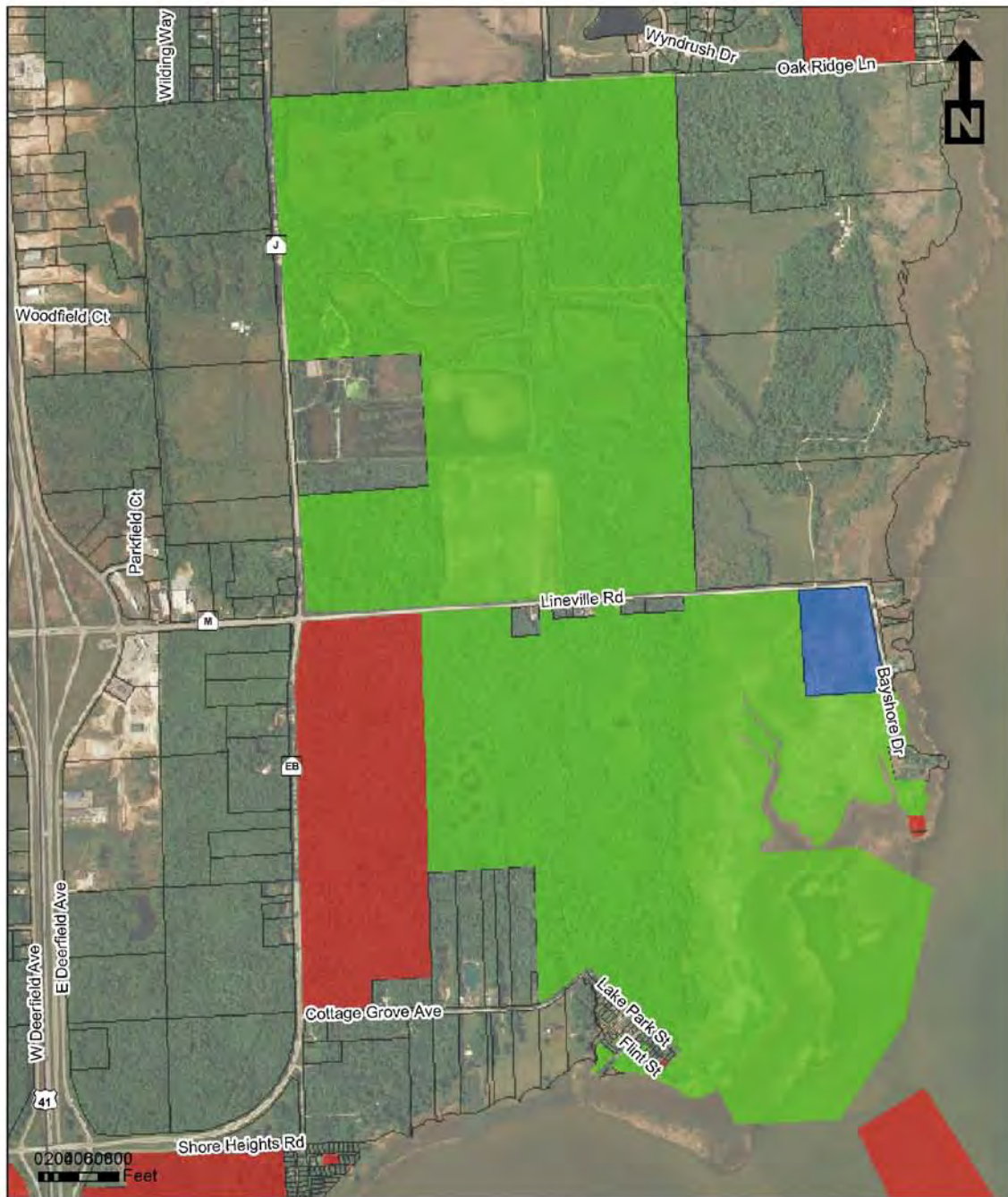


Exhibit 4-2a



Peters Acquisition 6(f) Replacement

- Legend**
- Public Lands**
 - County
 - WDNR
 - 6f replacement**
 - Peters

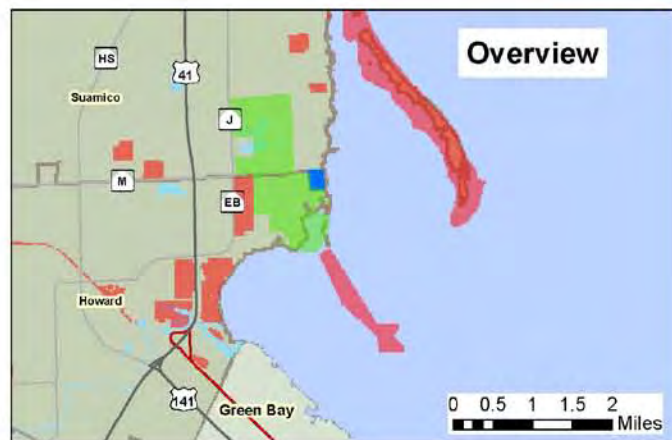


Exhibit 4-3



2456 Glendale Avenue • P.O. Box 12207 • Green Bay, Wisconsin 54313

November 19, 2010

Mr. Mike Berg
WisDOT Northeast Regional Director
944 Vanderperren Way
Green Bay, WI 54304

Re: US 41 Memorial to County M Project (#1133-10-01) - Village of Howard approval of Alternatives D and E, and Mitigation Requests

Dear Mr. Berg:

Please accept this letter on behalf of the Village of Howard indicating our approval of the current proposed Alternatives D and E (see attached displays) for the US 41 Memorial to County M Project (#1133-10-01) as provided to our staff on Friday, November 5, 2010.

WisDOT has informed us that after the November 5, 2010 meeting, FHWA made a determination that the Wietor Wharf and Deerfield Docks areas being leased to the Village of Howard (owned by WisDOT) are NOT considered to be 4(f) properties. Therefore, the impact summaries at the bottom right-hand corner of the displays mentioned will need to be updated to reflect this. All 4(f) impact acreages to the Wietor Wharf and Deerfield Docks areas would be omitted/subtracted for both Alternatives D and E.

The Village is excited to endorse the proposed improvements in alternatives D and E, particularly in the areas of the following 4(f) and/or 6(f) properties:

- The Gordon Nauman Conservation Area (owned by the Village of Howard) - (4(f) impacts under Alts D and E)
- Wietor Wharf Park (owned by WisDOT-currently leased to the Village of Howard) - 6(f)/boardwalk impacts under Alt D only
- Deerfield Docks (owned by WisDOT-currently leased to the Village of Howard) - 6(f)/boardwalk impacts under Alt D only

However, after reviewing the current proposed Alternatives D and E for the US 41 Memorial to County M Project, the Village has several mitigation requests for anticipated impacts related to Alternatives D and E in the Gordon Nauman Conservation Area, Wietor Wharf Park and Deerfield Docks (4(f) and/or 6(f) properties). The Village of Howard would sincerely appreciate your consideration of the following requests in the final design of the project:

See attached response letter



2456 Glendale Avenue • P.O. Box 12207 • Green Bay, Wisconsin 54313

1. The inclusion of the proposed bike/pedestrian path/bridge crossing Duck Creek. This path would likely be attached to the proposed US 41 structure. Draft displays dated November 3, 2010 showed this Duck Creek crossing along with potential concepts and connection(s) of this bike/pedestrian path to Wietor Wharf Park and Deerfield Docks areas under Alternative D and E. The Village is willing to work out design details with WisDOT and FHWA.
2. Paving of Wietor Drive from west of 41 to the cul-de-sac.
3. The purchase of the Ronald Thyron property by WisDot, with an intent to allow the Village to use this property.
4. The inclusion of a path (access) under US 41 along the north side of Duck Creek, connecting Deerfield Docks area (west of US 41) to East Deerfield Ave cul-de-sac (east side of US 41)

On behalf of the Village and the Howard community, we would sincerely appreciate your careful consideration of the aforementioned requests when planning for the US 41 Memorial to County M Project.

Respectfully,

Robert Bartelt
Village Administrator
Village of Howard, Wisconsin

Cc: Brett Wallace, WisDOT Operations Chief
Mindy Gardner, Project Manager/Engineer
Village Board of Trustees

See attached response letter



Division of Transportation
System Development
Northeast Regional Office
944 Vanderperren Way
PO Box 28080
Green Bay, WI 54324-0080



Jim Doyle, Governor
Frank J. Busalacchi, Secretary
Internet web site: www.dot.wisconsin.gov

Telephone: (920)492-5643
Facsimile (FAX): (920)492-5640
E-mail: greenbay.dtd@dot.state.wi.us

December 16, 2010

Robert Bartelt
Village Administrator
Village of Howard, Wisconsin
2456 Glendale Avenue, P.O. Box 12207
Green Bay, WI 54307

Re: US 41, Memorial Drive to County M - #1133-10-01
Village of Howard 4(f) and 6(f) mitigation request

Dear Mr. Bartelt:

Thank you for your letter dated November 19, 2010 (copy attached) pertaining to your approval of the current proposed Alternatives D and E and your list of mitigation requests.

The current estimated 4(f) and 6(f) impacts to Village of Howard property that would require mitigation are summarized below, and reflected on the attached plan views dated December 1, 2010:

	Alternative D	Alternative E
4(f) impacts*	0.55 acres in Gordon Nauman Conservation Area	1.12 acres in Gordon Nauman Conservation Area
6(f) impacts*	Total of 375 ft of boardwalk (50 ft at Wietor Wharf Park and 325 ft at Deerfield Docks)	none

**FHWA made a recent determination that the the Wietor Wharf and Deerfield Docks areas being leased to the Village of Howard (owned by WisDOT) are not considered to be 4(f) properties. Therefore, project related impacts to these areas are not included in the 4(f) category in the table above. However, the project impacts to the boardwalk in these areas would still be considered 6(f) impacts and will be mitigated for. All 4(f) and 6(f) impacts in the table above are based on preliminary design and are subject to change once an alternative is chosen and we move into final design.*

The Wisconsin Department of Transportation (WisDOT) NE Region, WisDOT Bureau of Environment and Equity Services (BEES), and the Federal Highway Administration (FHWA) have reviewed the letter referenced above and based on the current estimated 4(f) and 6(f) impacts, have the following responses to your mitigation requests:

Village of Howard mitigation request #1

Proposed bike/pedestrian path/bridge crossing Duck Creek and path connections to the Wietor Wharf and Deerfield Docks areas

WisDOT views this as a good candidate for 4(f) mitigation and enhancement to these areas/community. However, local cost share will be required. Design details and extent of

local cost share will need to be discussed once we select an alternative and move into final design.

Village of Howard 4(f) mitigation request #2

Paving of Wietor Drive from west of US 41 to the cul-de-sac

WisDOT agrees to incorporate this into the project as part of 4(f) mitigation.

Village of Howard 4(f) mitigation request #3

WisDOT purchase of the Ronald Thyron property (formerly known as the "old carp pond")

Previous discussions regarding 4(f) mitigation included potential WisDOT purchase of the above property, with the intent of allowing the Village of Howard to use/lease the property to expand the Gordon Nauman Conservation area. When this purchase was originally discussed back in 2007, the proposed project improvements involved a substantially higher amount of 4(f) impacts to Village of Howard properties than the current/refined proposed project improvements. Due to this reduction in 4(f) impacts, WisDOT no longer considers this a reasonable option for 4(f) mitigation. In addition, past WisDOT discussions with the owner of this property indicated that a fair/reasonable sale price would not be obtainable.

Village of Howard 4(f) mitigation request #4

Inclusion of path/access under US 41 along the north side of Duck Creek, connecting Deerfield Docks area (west of US 41) to East Deerfield Ave area (east side of US 41)

WisDOT agrees to incorporate this into the project as part of 4(f) mitigation. Design details of the path will need to be discussed as we move into final design.

6(f) mitigation for boardwalk

Although not included in the Village of Howard's November 19th mitigation list, WisDOT acknowledges that discussion have taken place regarding 6(f) mitigation for existing boardwalk in the Deerfield Docks area and Weitor Wharf Park areas. WisDOT has agreed that all boardwalk disturbed during construction will be replaced in kind.

We would appreciate a formal/written response to this letter on whether or not you agree to these mitigation options/suggestions. Please feel free to contact me with any questions at 920-492-2255.

Sincerely,



Brett Wallace

WisDOT NE Region - US 41 Corridor Program Manager

cc: Mike Berg, WisDOT NE Regional Director

Natasha Gwidt, WisDOT NE Region - US 41 Brown County Supervisor

Mindy Gardner, WisDOT NE Region – Deputy Project Engineer

Mike Helmrick, WisDOT NE Region – Environmental Coordinator



2456 Glendale Avenue • P.O. Box 12207 • Green Bay, Wisconsin 54313

May 18, 2011

Natasha Gwidt
Corridor Design Supervisor
Wisconsin Department of Transportation
US 41 Brown County Project Office
1940 West Mason Street
Green Bay, WI 54303

RE: US 41 Memorial to County M (#1133-10-01)
Village of Howard approval of Section 4(f) and 6(f) mitigation

Dear Ms. Gwidt:

As outlined in previous correspondence and discussed at the meeting on May 13th, 2011, the Village of Howard is willing to work with WisDOT on the Section 4(f) and 6(f) mitigation options for Alternatives D and E. We understand that Alternative E is WisDOT's preferred alternative, however, both Alternatives D and E remain under consideration at this time.

6(f) Impacts and Mitigation

The proposed 6(f) impacts for Alternative D are 375 ft. of boardwalk (Wietor Wharf Park and Deerfield Docks). There are currently no 6(f) impacts anticipated for Alternative E. The Village concurs with the following Section 6(f) mitigation for either Alternative D and/or E:

All boardwalk impacted at Wietor Wharf Park and/or Deerfield Docks Park to be replaced by WisDOT in kind.

4(f) Impacts and Mitigation

The proposed Section 4(f) impacts to the Gordon Nauman Conservation Area are estimated at 0.55 acres for Alternative D and 1.12 acres for Alternative E. The Village concurs with the Section 4(f) mitigation option described below. These concepts are also shown on the attached display dated March 30th 2011, and were also referred to as "Option B" during the May 13th meeting:

- 1) **Construction of bike/pedestrian path running parallel to US 41:** This would extend from Wietor Drive cul-de-sac, across US 41, to West Deerfield cul-de-sac, and would include the widening of the US 41 structure required to accommodate the bike/ped path. WisDOT would fund 100% of both the structure widening and remainder of the bike/ped path. The Village would have no cost share.
- 2) **Lengthening of US 41 structure over Duck Creek and right-of-way clearance for future construction of path/access under US 41 along north side of Duck Creek:** This pertains to the path/access that is proposed by the Village to connect the Deerfield Docks area (west side of US

41) to the East Deerfield Avenue area (east side of US 41). As part of WisDOT's project, we would provide the lengthening of the US 41 structure over Duck Creek and secure right-of way required for the path, but would not construct the path itself. The Village of Howard would be responsible for funding and constructing the path at a future date.

We understand that mitigation request #2 identified in the December 16, 2010 letter for the paving of Wietor Drive from west of US 41 to the cul-de-sac is no longer applicable. Due to the realignment required for Wietor Drive to accommodate the proposed bridge construction in this area, Wietor Drive will be completely reconstructed west of US 41 and no existing pavement will remain that would require resurfacing.

Respectfully,



Robert Bartelt
Village Administrator
Village of Howard, Wisconsin

Cc: Colleen Harris, US 41 Corridor Manager
Danielle Block, Project Manager
Mindy Gardner, Deputy Project Engineer
Village Board of Trustees

SECTION 5
Public Involvement and Agency Coordination

SECTION 5

Public Involvement and Agency Coordination

Introduction

Section 5 discusses public involvement, coordination with State and Federal review agencies, and coordination with Native American Tribes that has occurred during development of purpose and need and alternatives for the US 41 Memorial Drive to County M project. In accordance with Executive Order 12898 on Environmental Justice, the public involvement process was open to all residents and population groups in the study area and did not exclude any persons because of income, race, religion, national origin, sex, age, or handicap. As discussed in Section 3, no environmental justice groups or individuals were identified in the US 41 study area that would warrant special public outreach efforts beyond those described below.

Information on agency coordination during Final EIS activities is provided in new Final EIS subsection 5.3.3. A summary of the March 2, 2011 public hearing is provided in new Final EIS subsection 5.4.

5.1 Public Involvement

Public involvement concerning proposed improvements in the Brown County US 41 corridor has been ongoing since the original US 41 corridor study completed in 2003 (see EIS Summary for more information about the original corridor study). As part of the original corridor study, public information meetings were held on May 24, 2000 and September 20, 2000, and a public hearing was held on August 28, 2002. The last public meeting covering design and environmental aspects of the overall Brown County US 41 corridor was held on November 27-28, 2007. It should be noted that the County M interchange was not part of the original corridor study or the proposed improvements presented at the November 27-28, 2007 public meeting.

Additional public meetings focusing on particular project sections have been held in the project's engineering design phase. A public information meeting on the US 41 Memorial Drive to County M section was held on March 27, 2007. At that time, the County M interchange was not part of the proposed improvements. This interchange was added to the US 41 Memorial Drive to County M project section in 2009.

Recent public involvement that has occurred during the current EIS phase for the Memorial Drive to County M project section, including the County M interchange, is summarized below.

5.1.1 Public Information Meetings

Two open-house public information meetings were held during preparation of the EIS for the Memorial Drive to County M project section. The first meeting was held on March 3, 2010. The purpose was to obtain input on purpose and need, current design alternatives, and to discuss any concerns or issues that should be considered during further development and refinement of the alternatives. Information was also presented on the EIS process and schedule. The following alternatives were presented and discussed:

- Alternative A—No Build
- Alternative B—US 41 expansion with minor ramp improvements to I-43/US 41 interchange
- Alternative C—US 41 expansion with C/D roadways between US 141/Velp Avenue and I-43
- Alternative D—US 41 expansion with C/D roadways between US 141/Velp Avenue and I-43 and compatibility of I-43/US 41 interchange to full reconfiguration
- Alternative E—US 41 expansion with full reconfiguration of I-43/US 41 interchange

The meeting was held at the Bay View Middle School from 5-7 p.m. with a presentation at 5:15 p.m. followed by a general question and answer session. It was attended by about 150 people. In general, attendees expressed support for the US 41 improvements. Several people expressed concern about removal of existing access between US 141/Velp Avenue and I-43 via US 41 under Alternative E and stated removal of this access would cause travel indirection, impacts to existing businesses, and would affect emergency vehicle response time. On the other hand, several people supported Alternative E because it would eliminate the existing loop ramps at the I-43 interchange. There was little support for Alternative B because it would not adequately address congestion and safety concerns. Those who supported Alternative C at this PIM stated it would have fewer environmental impacts.

Other comments/discussion included roundabouts and their ability to handle large trucks, real estate acquisition, noise impacts, construction staging, detours and road closures, access to Duck Creek and Wietor Wharf Park, changes that could occur due to future conversion of US 41 to an Interstate Highway, and questions on the project schedule.

The second public information meeting was held on August 18, 2010. The purpose was to obtain input on the refined alternatives and their impacts. Main differences since the March 3, 2010 meeting included elimination of Alternative B, longer bridges to minimize wetland impacts, and realignment of Beaver Dam Creek at the US 141/Velp Avenue interchange. Refinements to Alternatives C and D included further improvements to the southbound US 41 to southbound I-43 ramp and the northbound I-43 to northbound US 41 ramp to meet Interstate standards. The indirect/inside loop ramps at the I-43 interchange were also improved to provide higher travel speeds for vehicles exiting and entering the C/D roadways. There were no substantive refinements to Alternative E. Information was also presented on the EIS process and schedule.

The meeting was held at the Bay View Middle School from 5-7 p.m. with a presentation at 5:15 p.m. followed by a general question and answer session. It was attended by about 150 people. In general, attendees continued to support the US 41 improvements. There was overall support for elimination of Alternative B. There was continued support for Alternative E because it would eliminate the existing loop ramps at the I-43 interchange, but also concern about removal of existing access between US 141/Velp Avenue and I-43 via US 41. Some people supported Alternative D because it would minimize environmental impacts and maintain access from US 141/Velp Avenue to I-43 via US 41.

Other comments were similar to those received at the March 3 public information meeting. Residents in the Island Court area expressed concern about displacement of additional homes due to the Beaver Dam Creek realignment, and noise impacts to homes that would remain along Island Court.

Both public meetings were announced through notices sent to property owners within ½ mile of the project corridor, local officials, elected officials and other interests. WisDOT also announced the meetings through news releases in area newspapers and other media. Flyers were also distributed to local businesses about a week prior to the meetings. Meeting handouts included information on project purpose and need, alternatives, the EIS process and schedule, contact information, and a comment form.

In addition to the project public information meetings, WisDOT held a neighborhood meeting on August 25, 2010 to let area residents know about the Resort Road wetland mitigation site and the proposed construction schedule.

5.1.2 Public Information Web Site

A US 41 project website was established by WisDOT to disseminate project information. The website contains information about the proposed improvements, public information meetings, and documents related to the environmental process. The website address is:

<http://us41wisconsin.gov/overview/special-project-features/improved-interchanges>.

5.1.3 Other Public Outreach Activities

As part of the EIS process, coordination with agencies and others who may be interested in the project is being done under environmental coordination procedures established in the 2005 federal transportation bill, SAFETEA-LU (*Safe, Accountable, Flexible, Efficient Transportation Equity Act—A Legacy for Users*). Section 6002, *Efficient Environmental Reviews for Project Decision making*, includes an opportunity for agencies, local officials and others to participate in the environmental review process by providing input on information being prepared for the environmental document and sharing views or concerns on the need for proposed improvements, alternatives being considered, potential impacts, mitigation, and other environmental aspects.

The SAFETEA-LU environmental process includes the following key activities:

- Lead agency invites other agencies, local officials and other interests to become cooperating or participating agencies in the environmental review process.
 - The Federal Highway Administration (FHWA) and WisDOT are joint lead agencies for the US 41 Memorial Drive to County M project and are responsible for managing the environmental review and documentation process.
 - Cooperating agencies are those that have jurisdiction by law or special expertise with respect to the project's environmental impacts.
 - Participating agencies are those that have an interest in the project.
- Preparation of a Coordination Plan (CP) to communicate how and when the lead agencies will obtain public and agency participation in the environmental review process.
- Preparation of an Impact Analysis Methodology (IAM) to communicate how the impacts of the proposed transportation project and its alternatives will be evaluated.

SAFETEA-LU activities for the US 41 Memorial County M project are summarized below.

September 16, 2009—FHWA and WisDOT sent letters to state and federal review agencies, local officials, and Native American Tribes inviting them to be cooperating or participating agencies as applicable. The draft CP and IAM were also sent with this invitation letter and those agencies interested in becoming cooperating or participating agencies were also asked to provide comments on these documents. The U.S. Army Corps of Engineers (USACE) and the Wisconsin Department of Natural Resources (DNR) agreed to be cooperating agencies. The U.S. Department of the Interior Fish and Wildlife Service (Fish & Wildlife Service), Environmental Protection Agency (EPA), Bay-Lake Regional Planning Commission, and the Brown County Planning Commission/Green Bay Metropolitan Planning Organization (MPO) agreed to be participating agencies. More information on agency responses is provided in Section 5.3.

February 17, 2010—Revised CP and IAM sent to all cooperating and participating agencies along with an invitation to the March 3, 2010 agency scoping meeting.

March 3, 2010—CP and IAM briefly reviewed at the agency scoping meeting and public information meeting held on this date.

August 18, 2010—CP and IAM (as revised) made available at the public information meeting held on this date.

September 22, 2010—CP and IAM (as revised) available at the agency coordination meeting held on this date.

Any future changes to the CP and IAM will be posted on WisDOT's US 41 website noted in section 5.1.2.

5.2 Coordination with Local Officials

Coordination with local officials concerning proposed improvements in the Brown County US 41 corridor has been ongoing since the original US 41 corridor study completed in 2003. WisDOT has held several meetings with local officials to obtain information on communities in the US 41 corridor, local planning efforts, and input on the proposed improvements.

Recent coordination on environmental and design aspects of the US 41 Memorial Drive to County M project is summarized below.

February 27, 2007—Local Officials meeting to review and obtain input on engineering design and environmental aspects of the overall Brown County US 41 corridor. The County M interchange was not part of the proposed improvements at that time.

November 14, 2007—Local Officials Meeting to discuss project prior to the November 27-28 public information meeting that covered engineering design and environmental aspects of the overall Brown County US 41 corridor. The County M interchange was not part of the proposed improvements at that time.

January 11, 2008—Village of Howard provided input on engineering design and environmental aspects of proposed improvements in the US 41 Memorial Drive to County M project section. The County M interchange was not part of the proposed improvements at that time.

March 1, 2010—Local officials meeting to obtain input on the alternatives and other project aspects prior to the March 3, 2010 public information meeting. Input from the local officials meeting assisted WisDOT in further evaluation and refinement of the alternatives.

March 3, 2010—Representatives from the Brown County Planning Commission/Green Bay MPO and Village of Howard attended the agency scoping meeting held on this date.

October 5, 2010—Local officials participated in an expert panel workshop as part of the Indirect and Cumulative Effects (ICE) analysis for the project. Based on their expertise regarding local and regional land use planning, workshop participants assisted in identifying potential indirect and cumulative effects of the no build and build alternatives. See section 3.2 for information on the ICE analysis.

November 5, 2010—Meeting with the Village of Howard to discuss Alternatives D and E and the impacts of these alternatives on Wietor Wharf Park, Deerfield Docks, and the Gordon Nauman Conservation Area. A conceptual layout for a possible bicycle/pedestrian path across Duck Creek was also discussed.

November 19, 2010—Letter from the Village of Howard indicating their approval of currently proposed Alternative D and Alternative E. In addition, they provided several mitigation requests for the anticipated impacts associated with Alternative D and Alternative E to Wietor Wharf Park, Deerfield Docks, and the Gordon Nauman Conservation Area. See Section 4 for more information.

5.3 Resource Agency and Native American Tribe Coordination

Coordination with state and federal review agencies and Native American Tribes concerning proposed improvements in the Brown County US 41 corridor has been ongoing since the original US 41 corridor study completed in 2003. At that time, improvement concepts in the US 41 Memorial Drive to County M section included providing additional capacity on the US 41 mainline, adding northbound and southbound C/D roadways between the US 141/Velp Avenue and I-43 interchanges, making minor improvements to the existing US 141/Velp Avenue interchange, and making minor geometric modifications to the I-43 interchange. As noted previously, the County M interchange was not part of the original corridor study.

Updated coordination has occurred throughout the preliminary design phase to account for refinements to the original improvement concepts, development of additional alternatives, and changes in environmental effects. In the 2006-2008 timeframe, WisDOT began preparing an updated Environmental Assessment (EA) for the US 41 Memorial Drive to County M project section, including updated coordination with state and federal review agencies and Native American Tribes. At that time, proposed improvements included providing additional capacity on the US 41 mainline, adding outside auxiliary lanes, reconstruction of the US 141/Velp Avenue interchange including roundabouts at the interchange ramp terminals, reconfiguration of the I-43 interchange to remove the existing tight loop ramps, and reconstruction of I-43 between US 41 and Atkinson Drive. The County M interchange was not included in the proposed improvements.

In 2008, WisDOT and FHWA determined that an EIS would be prepared for the US 41 Memorial Drive to County M section based on agency concerns about the magnitude of wetland impacts for the build alternatives. It was also determined that the SAFETEA-LU Section 6002 environmental process would be followed.

Given the extent of additional alternatives development that has occurred in the US 41 Memorial Drive to County M project section, including the addition of the County M interchange to this project in 2009, much of the agency input during the original corridor study is no longer applicable. Therefore, only the more recent/applicable agency coordination (2006 to present) is summarized in sections 5.3.1 and 5.3.2.

5.3.1 Agency Coordination Prior to Current EIS

Key agency coordination that occurred in the 2006-2008 timeframe, prior to the decision to prepare an EIS for the US 41 Memorial Drive to County M project section is summarized below. Agency correspondence is included in Appendix C. It should be noted that the County M interchange was not part of the Memorial Drive to County M project during the 2006-2008 agency coordination timeframe.

May, 2006—WisDOT conducted a value engineering study to identify factors that should be considered in further development and refinement of the alternatives. The Wisconsin Department of Natural Resources (DNR) participated in the study, providing information on wetlands and other natural resources that could potentially be affected by the proposed improvements.

October 23, 2006—Agency coordination meeting to acquaint agencies with the proposed improvements, review potentially affected resources, review preliminary design concepts, and obtain initial input. The meeting was attended by representatives from the DNR, USACE, Fish & Wildlife, and EPA.

January 2007—Letters to state and federal review agencies and Native American Tribes providing an update on the proposed improvements and requesting input on natural resources, cultural resources and other aspects.

January 23, 2007 (Appendix C, page C1)—Response from Stockbridge-Munsee indicating the proposed project does not appear to be in a region of archaeological interest to this tribe.

January 29, 2007 (Appendix C, page C2)—Response from Ho-Chunk Nation indicating they would conduct an internal archival and cultural review and noting that if there are Traditional Cultural Properties associated with the Ho-Chunk in the project's area of potential effect, the tribe would like to discuss such properties with WisDOT; requested notification if any cultural materials were located.

February 5, 2007—WisDOT meeting with DNR to discuss potential impacts to Beaver Dam Creek and Duck Creek.

February 14, 2007 (Appendix C, page C3)—Response from Sac and Fox Nation of Missouri in Kansas and Nebraska indicating no objection to the project; requested that their NAGPRA representative be notified if any human skeletal remains would be located during construction.

February 13, 2007 (Appendix C, page C4)—Response from Fish & Wildlife providing information on federally listed threatened or endangered species, comments on the alternatives with respect to the Beaver Dam Creek and Duck Creek crossings, information on migratory birds, and general comments on the potential resource impacts of the proposed alternatives.

February 21, 2007 (Appendix C, page C5)—Response from USACE acknowledging the need to prepare an updated environmental document for the US 41/I-43 interchange reconstruction, noting that the project will have substantial wetland impacts, and requesting participation as a cooperating agency in the environmental review process.

October 23, 2007—WisDOT notification to Native American Tribes concerning proposed US 41 improvements under the US 41 Green Bay to Abrams corridor preservation study (WisDOT Project I.D. 1150-46-00). This preservation study included proposed improvements at the County M interchange which were subsequently added to the US 41 Memorial Drive to County M project in 2009 (WisDOT Project I.D. 1133-10-01).

October 30, 2007 (Appendix C, page C6)—Response from Sac & Fox Tribe of the Mississippi in Iowa indicating no objection to the Green Bay to Abrams corridor preservation study; requested that their NAGPRA representative be notified if any human skeletal remains would be located during construction.

November 2, 2007 (Appendix C, page C7)—Response from Lac du Flambeau Band of Lake Superior Chippewa Indians indicating interest in the Green Bay to Abrams corridor preservation study and noting the project could have potential impacts to historic properties located within aboriginal territory of the Lac du Flambeau Band; requested a copy of the archaeological survey report and stated they would like to be a consulting party under Section 106 if any historic properties are affected by the project.

November 30, 2007 (Appendix C, page C8)—Response from Sac and Fox Nation of Missouri in Kansas and Nebraska indicating no objection to the Green Bay to Abrams corridor preservation study; requested that their NAGPRA representative be notified if any human skeletal remains would be located during construction.

March 7, 2008 (Appendix C, page C9)—Letter from DNR providing information on wetlands, wildlife/fisheries and threatened or endangered resources in the project corridor. DNR also provided general comments on minimizing the spread of invasive species, avoiding/minimizing wetland impacts to the extent possible, Section 6(f) land conversion, erosion control, construction constraint dates to protect fish spawning, floodplain backwater requirements, and proper disposal of any demolition material. DNR also provided specific comments on potential resource impacts and other aspects of the alternatives being considered.

May 29, 2008—Agency coordination meeting to provide an update on engineering design and environmental aspects of proposed improvements in the overall Brown County US 41 corridor. Representatives from EPA, USACE, and DNR attended. It was at this meeting that agencies expressed concern about the amount of wetland impacts in the US 41 Memorial Drive to County M project section and recommended that updated environmental documentation for this project section be an EIS rather than the previously proposed EA. Based on agency input, FHWA and WisDOT agreed to prepare an EIS for this project section.

June 17, 2008 (Appendix C, page C10)—Wisconsin Historical Society, State Historic Preservation Office (SHPO) concurrence in Section 106 addendum for updated cultural resource investigations in the US 141/Velp Avenue and I-43 interchange area. See section 3.15 for more information.

5.3.2 Agency Coordination During Draft EIS Activities

Key agency coordination that occurred in the Draft EIS phase (2009-2010 timeframe) for the US 41 Memorial Drive to County M project section is summarized below. Agency correspondence is included in Appendix C. It should be noted that the County M interchange has now been included in the Memorial Drive to County M project.

June 10, 2009—Notice of Intent to prepare a Draft EIS published in the Federal Register.

September, 2009—The Section SAFETEA-LU Section 6002 environmental process was initiated. See section 5.1.3 for more information.

October 8, 2009 (Appendix C, page C11)—Letter from Fish & Wildlife agreeing to be a participating agency under the SAFETEA-LU Section 6002 environmental process. They also reiterated previous concerns about wetland impacts, particularly those adjacent to Duck Creek and the bay of Green Bay. They did not have any comments on the CP or IAM.

October 15, 2009 (Appendix C, page C12)—Letter from Bay-Lake Regional Planning Commission agreeing to be a participating agency under the SAFETEA-LU Section 6002 environmental process. They also recommended adding the Brown County Land Conservation Department and Wisconsin Coastal Zone Management Program to the agency coordination list.

October 20, 2009 (Appendix C, page C13)—E-mail from Brown County Planning Commission agreeing to be a participating agency under the SAFETEA-LU Section 6002 environmental process, and noting that the same contact person would also represent the Green Bay Metropolitan Planning Organization.

October 21, 2009 (Appendix C, page C14)—Letter from DNR agreeing to be a cooperating agency under the SAFETEA-LU Section 6002 environmental process. In addition, DNR requested revisions to the IAM concerning surveys/assessments for threatened and endangered species, and requested that construction impacts outside of the project limits be considered (i.e. borrow pits).

October 30, 2009 (Appendix C, page C15)—Letter from USACE agreeing to be a cooperating agency under the SAFETEA-LU Section 6002 environmental process. In addition, the USACE provided comments on the CP (clarifications and revisions to the required review times), and the IAM (analysis of wetland impacts and consideration of borrow pits).

November 3, 2009 (Appendix C, page C16)—Letter from EPA agreeing to be a participating agency under the SAFETEA-LU Section 6002 environmental process.

March 3, 2010—Agency scoping meeting and field trip to update agencies on design and environmental aspects of the US 41 Memorial Drive to County M project. Discussion included review of project purpose and need, range of alternatives being considered, environmental impacts, and updates to the CP and IAM. Representatives from Fish & Wildlife, EPA, USACE, DNR, Village of Howard, and the Brown County Planning Commission/Green Bay Metropolitan Planning Organization attended the meeting. Key agency comments and concerns included the following:

- Role of the Interchange Access Justification Report (IAJR) in determining the viability of the build alternatives and a request that the IAJR information sent to FHWA headquarters reflect the magnitude of impacts for the alternatives. Agencies also recommended that the results of the IAJR effort be included in the EIS.
- Concern about the amount of wetland impact of the build alternatives and discussion about additional measures that could be considered to minimize wetland impacts such as eliminating the proposed Memorial Drive extension to Wietor Wharf Park.
- Concern about potential indirect and cumulative effects, particularly in the northwest quadrant of the US 141/Velp avenue interchange, adjacent to Duck Creek.

April 5, 2010 (Appendix C, page C17)—Letter from USACE providing comments on IAM, requesting that it include further information on how utility displacements and material borrow sites would be addressed in the EIS.

May 11, 2010—Meeting with DNR and USACE to review stream crossings. The meeting focused on Beaver Dam Creek, Duck Creek, and an intermittent stream north of County M.

June 14, 2010—Meeting with DNR, USACE and EPA to discuss opportunities for minimizing wetland impacts. The meeting focused on lengthening structures and maintaining existing access to Wietor Wharf Park. Discussion also included the extent of the ordinary high water mark for the bay of Green Bay, and implications for future permit applications under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act.

July 21, 2010—Meeting with DNR and USACE to discuss the proposed Beaver Dam Creek realignment at the US 141/Velp Avenue interchange.

September 22, 2010—Agency coordination meeting to review updated alternatives and environmental impacts, and to review/discuss draft EIS Section 1 (Purpose and Need) and Section 2 (Alternatives). Representatives from DNR, EPA, USACE and Fish & Wildlife attended the meeting. Agencies were asked to provide their informal comments on Sections 1 and 2 following the meeting.

September 23, 2010—DNR provided informal comments on draft EIS Sections 1 and 2. They requested additional information on the proposed 5-legged roundabout and local frontage road at the US 141/Velp Avenue interchange compared to a 4-legged roundabout without the local frontage road. DNR did not object to Alternative C being eliminated from further consideration.

September 27, 2010—Letter to Native American Tribes providing an update on proposed improvements and alternatives and offering an opportunity to comment on cultural resource aspects.

September 29, 2010—USACE provided informal comments on draft EIS Sections 1 and 2. They requested additional information in the purpose discussion to provide a better link to the need factors and the alternatives. They also requested additional information on the proposed 5-legged roundabout and local frontage road at the US 141/Velp Avenue interchange compared to a 4-legged roundabout without the local frontage road, and additional justification for recommending that Alternative C be eliminated from further consideration.

October 1, 2010—Letter to National Park Service (NPS) notifying them about the proposed project, impacts on lands funded with LWCF, ORAP, Pittman-Robertson, and Dingell-Johnson funds, and providing information on proposed mitigation.

October 6, 2010—EPA provided informal comments on the draft EIS Sections 1 and 2. They requested additional information in the purpose discussion to better support the need factors and the alternatives.

October 19, 2010—Letter to cooperating and participating agencies providing an opportunity to review updated EIS Sections 1 and 2 (revised based on informal comments received after the September 27, 2010 agency coordination meeting) and requesting formal concurrence in these EIS sections. An updated environmental impact matrix was also sent to the agencies for informational purposes.

November 5-12, 2010 (Appendix C, page C18)—E-mail from EPA asking why it would be necessary to have the frontage road [at the 5-legged roundabout] connect to Memorial Drive, and follow up e-mail from WisDOT explaining that the frontage road (fifth leg of the roundabout) is required by FHWA to provide connectivity to a local street rather than being a dead end.

November 9-17, 2010 (Appendix C, page C19)—E-mail from Brown County Planning Commission asking for additional clarification on why Alternative C is being recommended for elimination from further consideration, and additional e-mail exchanges with WisDOT. On November 17, Brown County concurred in EIS Sections 1 and 2 based on additional clarification added to EIS Section 2.2.3.

November 11, 2010 (Appendix C, page C20)—Letter from DNR concurring in EIS Sections 1 and 2 provided some additional comments are addressed, mainly concerning the proposed 5-legged roundabout at the US 141/Velp Avenue interchange.

November 17, 2010 (Appendix C, page C21)—E-mail from Bay Lake Regional Planning Commission concurring in EIS Sections 1 and 2.

November 17, 2010 (Appendix C, page C22)—Letter from EPA concurring in EIS Sections 1 and 2 and recommending that additional information (per November 5-12 e-mail exchange with WisDOT) be provided in the EIS regarding the need to connect the 5-legged roundabout frontage road to a public street rather than making it a dead end.

November 18, 2010 (Appendix C, page C23)—Letter from USACE concurring in EIS Section 1 but noting they would like to see more information on the need for local traffic alternatives to justify consideration of the five-legged roundabout option. The USACE provided conditional concurrence in EIS Section 2, requesting that the five-legged roundabout not be retained as the only option, that this roundabout be designed to accommodate a future “fifth spoke” without constructing it, and that longer bridges be considered to facilitate construction of the fifth leg (frontage road).

November 22, 2010 (Appendix C, page C24)—Letter from Fish and Wildlife Service providing comments on EIS Sections 1 and 2 concerning the description of the proposed action, purpose and need discussion and lack of including wetland types in the alternatives discussion.

December 29, 2010 (Appendix C, page C25)—SHPO concurrence in Section 106 addendum for updated cultural resource investigations in the US 141/Velp Avenue and I-43 interchange area, and at the County M interchange. See section 3.15 for more information.

5.3.3 Agency Coordination During Final EIS Activities

Key agency comments on the Draft EIS are summarized as follows. Agency letters and WisDOT comment responses are provided in Appendix C.

March 11, 2011 (Appendix C, page C27)—DNR requested that the Final EIS include a brief description of the goals of the Resort Road wetland mitigation site, information on how the functional values of impacted wetlands will be mitigated at the mitigation site, additional information on potential environmental impacts associated with material borrow sites, and ways to minimize the impacts.

March 21, 2011 (Appendix C, page C28)—Department of the Interior requested additional information on minimizing wetland fragmentation and maintaining or creating viable habitat corridors between fragmented wetlands. They also recommended a bottomless culvert for the realigned Beaver Dam Creek and commented on construction timing relative to the breeding/nesting seasons for migratory birds.

March 23, 2011 (Appendix C, page C29)—U.S. Environmental Protection Agency requested more detailed information on impacts to wetland functions and values, quality of affected wetlands, additional wetland impacts due to utility adjustments, and proposed mitigation. Other comments included design recommendations for the Beaver Dam Creek realignment, request for more information on possible indirect effects caused by changes in traffic patterns due to removing the existing Velp Avenue access to I-43, recommendation for buffers along realigned Beaver Dam Creek, and a request for additional information on indirect and cumulative impacts relative to threatened and endangered species.

March 24, 2011 (Appendix C, page C30)—U.S. Army Corps of Engineers requested that the status of the 5-leg roundabout be clarified in the Final EIS, noted that previous (2006) wetland delineations would need to be updated prior to Clean Water Act permit activities, requested being involved in development of wetland mitigation sites, and requested that borrow material for the project not be obtained from U.S. waters unless authorized by the Corps.

In accordance with the Coordination Plan prepared as part of the SAFETEA-LU environmental process, participating and cooperating agencies were notified about the preferred alternative (Alternative E) and provided an opportunity to concur. A Preferred Alternative Technical Memorandum was distributed to agencies on April 22, 2011. The memorandum included updated information on Alternative E and reasons why it was selected by WisDOT and FHWA as the preferred alternative for presentation in the Final EIS. Agency input on the preferred alternative is summarized as follows:

May 19, 2011 (Appendix C, page C31)—E-mail correspondence with Brown County Planning Commission. Brown County had no comments on the preferred alternative.

May 19, 2011 (Appendix C, page C32)—E-mail correspondence with the Village of Howard. The Village of Howard indicated WisDOT has kept them informed about the preferred alternative and that the Village Board has not taken a position or commented on the preferred alternative.

May 19, 2011 (Appendix C, page C33)—Letter from USACE concurring in the preferred alternative.

May 19, 2011 (Appendix C, page C34)—Letter from DNR supporting WisDOT's selection of Alternative E as the preferred alternative.

May 23, 2011 (Appendix C, page C35)—Letter from U.S. Fish and Wildlife Service indicating WisDOT has addressed their concerns in the preliminary responses to agency comments on the Draft EIS and that they therefore concur in the preferred alternative. Fish & Wildlife reiterated their desire to see a final letter from the Village of Howard agreeing to the proposed Section 4(f) and Section 6(f) mitigation measures. The Village of Howard letter dated May 18, 2011 is provided in EIS Section 4 as Exhibit 4-5.

May 24, 2011 (Appendix C, page C36)—Letter from EPA concurring in the preferred alternative.

5.4 Public Hearing

The Draft EIS was distributed to agencies and made available for public review by WisDOT on January 26, 2011 and the Draft EIS notice of availability was published in the Federal Register on February 11, 2011. The public hearing was held on March 2, 2011 from 5 p.m. to 8 p.m. at the Bay View Middle School in the Village of Howard. The hearing was attended by approximately 140 people. See subheading 5.4.4 for information on public input.

5.4.1 Hearing Notices

Legal notices announcing the public hearing were published in the *Green Bay Press Gazette* (February 2, 2011) and the *Ashwaubenon-Howard-Suamico Press* (February 4, 2011). Paid display ads announcing the hearing were also published in these newspapers (Press Gazette on February 22, 2011, and Suamico Press on February 25, 2011). WisDOT also sent a news release to area media on February 22, 2011 and February 28, 2011.

In addition to these general public hearing announcements, WisDOT sent a letter-style hearing notice on February 15, 2011 to persons on the project's mailing list. The mailing list includes local officials, elected officials, state and federal review agencies, Native American Tribes, owners/occupants of homes and businesses within the project's area of effect, and other interests.

The hearing notices included a list of local repositories where the Draft EIS could be reviewed (three Brown County library branches in Green Bay, a Brown County library branch in the Village of Howard, and the WisDOT US 41 Brown County project office at the US 41/Mason Street interchange).

5.4.2 Hearing Displays and Other Materials

The following displays and other materials were available at the public hearing.

Displays

- **Proposed Design Alternatives** – Proposed improvements for Alternatives D and E
- **US 41 Brown County Project Overview Map** – Overall US 41 Brown County project limits and limits of various US 41 project sections
- **Typical Finished Sections** – Cross sections of the proposed US 41 roadway
- **Alternatives Comparison of Environmental Impacts** – Environmental impact summary for the no build alternative and initial range of build alternatives considered in Draft EIS
- **Ramp Types and Speeds** – Background information on the different types of ramps proposed to connect US 41 with I-43
- **2005 – 2007 Crash Data** – Locations of crashes within the project limits during that time period
- **Daily Traffic Comparison of Alternatives C, D, and E** – Comparison of future traffic volumes on area roadways for Alternatives C, D, and E.
- **Beaver Dam Creek Realignment** – Detailed view of proposed Beaver Dam Creek realignment at the Velp Avenue interchange, along with associated residential displacements.

Handouts/Other Documents

- **Handout Packet**
 - Study area location map
 - Purpose of hearing, EIS process, information for hearing record
 - Options and instructions for providing testimony
 - Project summary (project description, purpose and need, alternatives)
 - Plan views of Alternatives D and E
 - Environmental impact comparison matrix for Alternatives D and E
 - Information on property acquisition and relocation assistance
 - Next steps, project schedule
 - Description of hearing exhibits
 - WisDOT contact information
 - Written testimony form and registration slip for public verbal testimony
- **Frequently Asked Questions** – List of common questions/answers regarding the project
- **Wisconsin Relocation Rights – Business, Farm and Nonprofit Organizations**
- **Wisconsin Relocation Rights – Residential**
- **The Rights of Landowners Under Wisconsin Eminent Domain Law**
- **Draft Environmental Impact Statement (EIS)** – Document approved by FHWA on 1/24/11
- **Legal Notice** – Notice published in *Green Bay Press-Gazette* and *Ashwaubenon-Howard Suamico Press* advertising the Public Hearing and availability of the Draft EIS
- **Impact Analysis Methodology** – SAFETEA-LU Section 6002 environmental process document explaining how environmental impacts will be analyzed
- **Coordination Plan** – SAFETEA-LU Section 6002 environmental process document explaining how project information would be communicated to agencies and the public
- **PowerPoint Presentation** – WisDOT used a PowerPoint presentation to present project information and public hearing information

5.4.3 Hearing Format and Testimony Options

The public hearing offered three options for providing testimony: Private verbal testimony to a court reporter, public verbal testimony to the group assembled in the auditorium following the hearing presentation, and written testimony that could be left at the hearing or sent to WisDOT afterward.

Starting at 5 p.m. and continuing to the end of the hearing at 8 p.m., WisDOT staff was on hand to informally discuss the proposed US 41 improvements, review the displays, answer questions, and provide guidance on how to present testimony. A presentation was given at 5:30 p.m. and public verbal testimony was taken starting at 6 p.m. The private verbal testimony option and written testimony option were available throughout the entire hearing.

5.4.4 Public Hearing Input

WisDOT has assembled a public hearing record that includes court reporter transcripts for verbal testimony and written comments received during the public comment period ending on March 28, 2011. The hearing record is available for review at the WisDOT US 41 Brown County project office, 1940 West Mason Street, Green Bay.

Public hearing input is summarized in Table 5-1. The table contains one entry for each person who provided comments whether oral, written, or both. A total of 47 people provided comments. Of those who specifically indicated support for Alternatives D or E, 31 people favored Alternative D and 11 favored Alternative E.

The primary reasons mentioned for supporting Alternative D were that this alternative would maintain the existing access between I-43 and Velp Avenue via US 41, and would cost \$10 million less to construct than Alternative E. The primary reasons mentioned for supporting Alternative E were that this alternative would improve safety by eliminating the existing loop ramps at the I-43 interchange, would provide safe and efficient access to I-43, and would be a better long-term solution than Alternative D.

Key concerns about removing the existing Velp Avenue access under Alternative E are summarized as follows along with WisDOT's responses to these concerns.

Additional traffic including heavy trucks would use local roads in the Village of Howard, particularly Velp Avenue and Atkinson Drive

Possible traffic diversion to other roadways with closure of the existing Velp Avenue access to I-43 via US 41 was evaluated using the Northeast Wisconsin Regional Travel Demand Model, and this information was presented at the public hearing. The main increase in local road traffic would occur on Velp Avenue where design year 2035 traffic volumes would increase by approximately 3,800 vehicles per day near Atkinson Drive, and 4,100 vehicles per day between US 41 and Military Avenue. The increase in traffic on Atkinson Drive was projected to be 2,500 vehicles per day west of I-43 and 700 vehicles per day east of I-43 in design year 2035.

Improvements to Velp Avenue are planned for construction in 2011 and 2012 under a separate WisDOT project. Existing Velp Avenue, which is a 4-lane roadway, will be reconstructed to improve traffic flow, safety, and intersection design, including roundabouts at three major intersections. These improvements will accommodate the increased traffic on Velp Avenue that could occur due to closure of the existing Velp Avenue access under Alternative E. Design year traffic projections for the Velp Avenue reconstruction project accounted for the proposed improvements under Alternative E for the US 41 Memorial Drive to County M project.

The existing I-43/Atkinson Drive interchange design would accommodate any increased traffic at this interchange that could occur due to closure of the existing Velp Avenue access under Alternative E. However, WisDOT has also initiated a separate study to evaluate whether improvements are needed at that interchange.

Emergency vehicle response time would be adversely affected

Input was obtained from emergency services in the area through a meeting held on January 18, 2011. Comments received at that meeting indicated that most of the representatives preferred Alternative E over Alternative D. One of the main reasons mentioned was elimination of the loop ramps at the I-43 interchange, which have been a source of numerous crashes. There were some concerns about the removal of the access between Velp Avenue and I-43 via US 41, but the majority of the emergency service providers still indicated support for Alternative E, as long as a sufficient number of median crossovers are provided to allow better access to incidents occurring within the project limits. Median crossover location coordination will continue in final design.

Fuel consumption costs for local drivers would be higher due to longer route required to access I-43

WisDOT acknowledges this concern. On balance, however, providing additional capacity on US 41 and reconstructing the interchanges will improve traffic flow and operations, and will reduce congestion and delay. In the long term, this could have a beneficial effect on fuel consumption and associated costs.

Increased congestion on Velp Avenue would have a negative impact on businesses

Providing additional capacity on US 41 and reconstructing the interchanges will improve traffic operations, and will reduce congestion and delay. The proposed improvements on Velp Avenue and possible additional improvements at the I-43/Atkinson Drive interchange would also improve traffic flow and safety.

Under Alternative E, additional traffic will use the I-43/Atkinson Drive interchange, and concerns were mentioned about potential problems at that interchange with the loop ramp from northbound I-43 to Atkinson Drive and the steep grade of the ramp from Atkinson Drive to southbound I-43

WisDOT has initiated a separate study to evaluate whether improvements are needed at the I-43/Atkinson Drive interchange. This study will include reviewing the crash history, existing interchange geometry, and future traffic operations.

Additional issues and concerns raised as a result of the public hearing are summarized below along with WisDOT's responses where applicable.

Four people expressed general concern about roundabouts. Two people specifically questioned the need for and cost of providing roundabouts at the County M/Deerfield Avenue (frontage road) intersections.

WisDOT is committed to using roundabouts where appropriate based on the following benefits of roundabouts compared to signalized intersections:

- Roundabouts improve safety by providing slower intersection entry speeds and minimizing the potential for turning movement conflicts.
- Roundabouts provide more intersection capacity than signalized intersections, resulting in less delay for traffic entering and exiting the intersections.
- Roundabouts have lower impact collisions due to the intersection entry angle.
- Roundabouts generally have lower maintenance costs than signalized intersections.

A joint letter signed by 22 people was submitted expressing concern about existing drainage problems and concerns about additional stormwater discharge in the Lakeview Drive area.

WisDOT is preparing a stormwater management plan for the US 41 Memorial Drive to County M project corridor. At this time two stormwater detention ponds are being proposed adjacent to the Lakeview Drive crossing of US 41. The project will be designed such that existing drainage patterns on private property will not be changed. The new highway ditches and installation of culverts where needed should improve the existing drainage situation.

Construction of the Velp Avenue, Lakeview Drive, and County M bridges should be staged so these roads are not all closed at the same time

A construction staging plan will be developed in the final design phase. Highway and local street closures will be staged to minimize disruption to the extent possible. Other mitigation measures could include the following:

- Public information meetings and other community involvement opportunities to obtain input on ways to minimize the effects of construction on area businesses, residents, commuters, community services, and special events.
- News releases and project website entries to inform travelers about the construction schedule, traffic conditions, delays, detour routes, and to encourage use of carpooling, park-and-ride lots, and transit during the construction period.
- Encourage businesses to modify their work schedules and/or shipping schedules to avoid peak traffic hours.

**Table 5-1
Summary of Public Hearing Input**

Commenter	Key Comments/Issues
Resident, Sunray Lane Green Bay	Supports Alternative D. Concerned that Alternative E will result in routing truck traffic onto Velp Avenue and through the Village of Howard to access I-43. Also believes additional cost of Alternative E is unnecessary.
Resident, Shade Tree Lane Green Bay	Supports Alternative D. Believes access to I-43 from Velp Avenue is necessary. Also believes additional cost of Alternative E is unnecessary.
Resident, Shade Tree Lane Green Bay	Supports Alternative D. Believes access to I-43 from Velp Avenue is necessary. Concerns with Alternative E include: losing access at Velp Avenue will impact emergency vehicles; safety and crash issues if Atkinson Drive absorbs Velp Avenue traffic accessing I-43; higher fuel consumption/costs for local drivers forced to take a longer route to access I-43.
Resident, Shade Tree Lane Green Bay	Supports Alternative D because it provides more direct access to I-43.
Resident, Shade Tree Lane Green Bay	Supports Alternative D. Believes additional cost of Alternative E is unnecessary. Concerned that Alternative E will put heavy traffic on Cardinal Lane, Velp Avenue, and Atkinson Drive.
Resident, Shade Tree Lane Green Bay	Supports Alternative D because it provides more direct access to I-43.
Resident, West Lake Drive Pound	Supports Alternative D because it provides more direct I-43 access to the Village of Howard via Velp Avenue. Believes that businesses on Velp Avenue will suffer if access to I-43 is removed. Also believes additional cost of Alternative E is unnecessary.
Resident, Lenwood Avenue Green Bay	Supports Alternative D because it provides access to southbound I-43 from Velp Avenue. Concerned that diverting I-43 traffic to Atkinson Avenue will result in increased traffic congestion. Believes truck traffic would have a hard time safely entering I-43 at Atkinson due to incline over Tower Drive Bridge.
Business, Velp Avenue Green Bay	Supports Alternative D. Believes Alternative E will result in too much traffic on Velp Avenue.
Resident, Riverview Drive Green Bay	Supports Alternative D. Believes additional cost and right-of-way purchase required for Alternative E is unnecessary. Believes that Alternative D will: reduce traffic and congestion on Velp Avenue; provide needed direct access to Velp Avenue from I-43; provide direct access to the Village of Howard via I-43; and reduce roundabout and stop light impediments for Velp Avenue travelers.
Resident, Prairie Falcon Trail Green Bay	Supports Alternative D. Believes additional cost of Alternative E is unnecessary. Believes Alternative E will result in decreased access to Village of Howard and result in increased traffic congestion on Velp Avenue.
Resident, Cardinal Lane Green Bay	Supports Alternative D due to: better traffic balance using Velp Avenue and 29/Cardinal Lane; emergency response times; safety concerns with Atkinson Avenue access.
Resident, Packerland Drive Green Bay	Supports Alternative E. Believes Alternative E provides the safest travel option.
Resident, Mirage Drive Green Bay	Supports Alternative E because it eliminates unsafe loop ramps.

Commenter	Key Comments/Issues
Resident, Delvoye Court Green Bay	Supports Alternative D. Concerned about emergency response time to potential accidents at the I- 43/US 41 interchange. Questions the need for a roundabout at the CTH M/West Deerfield Avenue intersection.
Business, South Chase Road Sobieski	Supports Alternative D. Values existing I-43 access at Velp Avenue. Believes that businesses would suffer if access is removed. Believes truck traffic would have a hard time safely entering I-43 at Atkinson due to incline when approaching Tower Drive Bridge. Concerned about emergency response time at I-43/US 41 interchange if Velp access is removed.
Resident, Rose Haven Trail Green Bay	Supports Alternative D. Supports expansion to 6 lanes. Does not favor removing access between I-43 and Velp Avenue via US 41. Adamantly opposes the inclusion of roundabouts. Would like to see an alternative that omits all roundabout intersections.
Business, Velp Avenue Green Bay	Supports Alternative D. Concerned about adding more traffic to Velp Avenue, and congesting traffic through addition of roundabouts. Believes truck traffic would have a hard time safely entering I-43 at Atkinson due to incline when approaching Tower Drive Bridge. Concerned for safety of businesses required to clear snow from on street mailboxes; increased traffic will cause additional hazards. Wants Velp Avenue access to I-43 maintained.
Resident, Memorial Drive Green Bay	Supports Alternative D. Concerned about adding more traffic to Velp Avenue. Believes additional cost of Alternative E is unnecessary.
Resident, Graceland Terrace Green Bay	Supports Alternative E. Believes Alternative E provides safest and quickest access to I-43. Does not like the idea of losing I-43 access at Velp Avenue. Suggests adding an I-43 south on-ramp at Military Avenue.
Resident, Memorial Drive Green Bay	Supports Alternative D. Believes that eliminating access to I-43 at Velp Avenue is a big mistake.
Resident, Memorial Drive Green Bay	Supports Alternative E. Believes the loop ramps in Alternative D are dangerous. Believes Alternative E is a more efficient and proper appropriation of money.
Resident and Business Owner, Delvoye Court Green Bay	Supports Alternative D. Concerned with Alternative E's adjustments to the US 41/I-43 interchange and access to I-43 at Velp Avenue. Concerns include: safety issues at Atkinson; emergency vehicle response times; inconvenience in travel time and distance for local residents; potential traffic congestion added to local roads; negative impacts to local businesses; unnecessary high speed ramps; unnecessary extra costs. Supports Alternative D, but does not think that the roundabout proposed at CTH M/West Deerfield Avenue is necessary from a traffic or cost standpoint.
Local Property Owners	No preferred alternative stated. Properties abutting US 41, north of Lineville Road, were severed when US 41 was upgraded to four lanes in the 1960's. States that WisDOT failed to provide adequate drainage during that initial construction. US 41 now acts as a damn, flooding adjacent properties. Request that drainage issue be addressed in current design.
Business	Supports Alternative E. Believes this alternative greatly improves operations. Believes Atkinson Avenue interchange is underused.
Resident	No preferred alternative stated. Concerned about traffic during construction. Believes many drivers will use CTH B as an alternative route. Proposes reconstructing CTH B in order to properly handle traffic.
Business, Velp Avenue Green Bay	Supports Alternative D. Concerned that losing access to I-43 at Velp Avenue will have negative consequences for Velp Avenue businesses. Believes that flyover ramps included in Alternative E will result in more fatal crashes than the supposed less safe Alternative D.
Resident, Sunray Lane Green Bay	Supports Alternative D. Concerns include safety concerns with the I-43 connection at Atkinson Avenue, increased traffic to Velp Avenue, and inconvenience to local residents.
Resident, Birch Road Green Bay	Supports Alternative E. Believes current interchange configuration is dangerous.
Business Village of Howard	Supports Alternative D. Believes maintaining a connection to I-43 via Velp Avenue is necessary. Cites the inconveniences in time, distance, and traffic congestion.
Resident Village of Howard	Supports Alternative D. Concerned with eliminating access to I-43 via Velp Avenue due to the unnecessary inconvenience to people living in the Village of Howard. Also views the addition of multiple roundabouts as an unnecessary inconvenience.
Resident, Tulip Court Village of Howard	Supports Alternative E. Does not think that Alternative D is safe. Believes Alternative D would only be a temporary fix that would need to be redone in the near future. Also cites that Alternative E would have fewer environmental impacts.

Commenter	Key Comments/Issues
22 Residents, Lakeview Drive Area Village of Howard	No preferred alternative stated. Twenty two (22) residents signed a joint letter regarding storm water drainage concerns along US 41 in the Lakeview Drive area.
Resident Village of Howard	Supports Alternative D because it provides access to southbound I-43 from Velp Avenue. Concerned that diverting I-43 traffic to Atkinson Avenue will result in increased traffic congestion in the Village of Howard, and cause unnecessary inconvenience for Howard residents.
Resident, Robin Lane Village of Howard	Supports Alternative D. Values existing I-43 access at Velp Avenue. Believes that businesses would suffer if access is removed. Concerned that diverting I-43 traffic to Atkinson Avenue will result in increased traffic congestion in the Village of Howard.
Resident, Billie Court Village of Howard	Supports Alternative D. Concerned that increasing the traffic on Atkinson Avenue would cause safety issues.
Resident, Riverdale Drive Hobart	Supports Alternative E. Thinks that there needs to be more discussion on the necessary maintenance of the new roadways and structures being proposed. Would like to see an alternative that includes features of Alternative E and access to I-43 at Velp Avenue to lessen the burden on Village of Howard residents. Questions whether an access ramp onto southbound I-43 was ever considered at Melody Lane.
Business Village of Howard	No preferred alternative stated. Business concerns regarding potential roundabout on CTH M/Lineville Road. Supports building the roundabout prior to work on Lineville Road. If the roundabout is not done prior to shutting down Lineville Road for construction, does not believe that CTH B could handle the additional traffic. Supports reconstruction of US 41. Believes the short term inconvenience during construction will be outweighed by long term business benefits of a safer, more efficient roadway.
Resident, Brookview Drive Green Bay	Supports Alternative D. Concerned with eliminating access to I-43 via Velp Avenue due to the unnecessary inconvenience to people living in the Village of Howard.
Resident/Business, Lineville Road Village of Howard	No preferred alternative stated. Concerned with business impacts at Lineville Road.
Resident, Schanock Drive Green Bay	Supports Alternative E.
Business Green Bay	Supports Alternative E.
Business Green Bay	Supports Alternative E.
Business, Kimps Court Green Bay	Supports Alternative D.
Business, Velp Avenue Green Bay	Supports Alternative D.
Resident, Glenview Avenue Green Bay	Supports Alternative D.
Resident, Glenview Avenue Green Bay	Supports Alternative D.

CONCEPTUAL STAGE RELOCATION PLAN

**US 41
DePere - Suamico
(Memorial Drive to County M)
Brown County
WisDOT Project I.D. 1133-10-01**

October 2010



Wisconsin Department of Transportation
Northeast Region Office—Real Estate

Conceptual Stage Relocation Plan

US 41

DePere - Suamico

(Memorial Drive to County M)

Brown County

WisDOT Project I.D. 1133-10-01

Purpose

This Conceptual Stage Relocation Plan has been prepared in accordance with the Federal Highway Administration (FHWA) *Environmental Impact and Related Procedures Final Rule* (23 CFR 771), the FHWA *Technical Advisory* for environmental document preparation (T6640.8A, October 1987), and the Wisconsin Department of Transportation (WisDOT) *Relocation Assistance Manual*. The purpose of the conceptual plan is to provide preliminary information about the residential and business displacements that are anticipated to occur as a result of proposed improvements in the US 41 corridor from Memorial Drive to County M in Brown County.

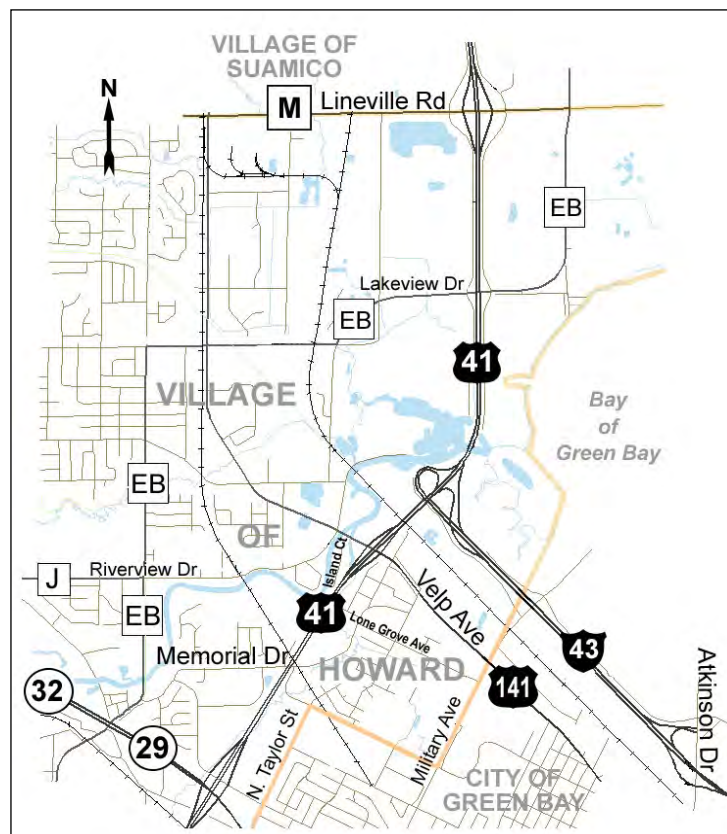
The conceptual plan provides an estimate of the following:

- Number of homes and businesses that may be displaced by the project.
- Availability of decent, safe, and sanitary replacement housing and comparable commercial facilities within the financial means of the home and business owners that may be affected by the project.
- Possible total relocation assistance costs.

Project Description

WisDOT is proposing to reconstruct approximately 3.3 miles of US 41 from Memorial Drive to County M/Lineville Road in Brown County. The proposed improvements also include the portion of I-43 from its interchange with US 41 to Atkinson Drive. See Figure 1.

Figure 1—Project Location Map



Proposed improvements include reconstructing the interchanges at US 141/Velp Avenue, I-43 and County M, and providing additional capacity on US 41. Build Alternatives C, D, and E, were under consideration and evaluation at the time this Conceptual Stage Relocation Plan was prepared. These alternatives, as presented at the August 18, 2010 public information meeting, are illustrated on the attached project maps. Displacements are the same for all three alternatives.

Alternative A is the no build alternative. Alternative B (minor improvements at the US 141/Velp Avenue and I-43 interchanges) was eliminated from further consideration because it would not sufficiently address project purpose and need.

Alternatives C, D and E include a range of options for improving traffic capacity, traffic operations and safety on the US 41 freeway mainline and its interchanges. The main difference among the alternatives occurs in the area between US 141/Velp Avenue and I-43 where various improvement levels are being considered, including full reconfiguration of the US 41/I-43 System Interchange.

Improvements that are common to Alternatives C, D, and E include the following:

- Widen the US 41 freeway mainline from 4 to 6 lanes and add auxiliary lanes along northbound and southbound US 41.
- Reconstruct the US 141/Velp Avenue interchange including roundabouts at the ramp terminals and at the US 141/Velp Avenue and Memorial Drive intersection.
- Reconstruct the County M interchange including roundabouts at the ramp terminals and at the County M/frontage road intersections.
- Construct new bridges over US 141/Velp Avenue, Canadian National (CN) Railroad, Wietor Drive, I-43, and Duck Creek.
- Replace the County EB/Lakeview Drive and County M bridges over US 41.
- Construct a new frontage road with a five-legged roundabout at the US 141/Velp Avenue interchange ramp terminal west of US 41.
- Realign Beaver Dam Creek and replace the box culvert south of the US 141/Velp Avenue interchange.
- Maintain the existing separation distance between the US 41 mainline and the frontage roads from I-43 to County M.

Key features of Alternatives C, D, and E are summarized as follows:

Alternative C: US 41 expansion with C/D roadways between US 141/Velp Avenue and I-43

- Expand US 41 along its existing alignment from US 141/Velp Avenue to I-43.
- Construct Collector-Distributor (C/D) roads on both sides of US 41 between US 141/Velp Avenue and I-43. The C/D roads would accommodate traffic weaving movements rather than having those movements occur on the US 41 freeway mainline.
- Extend the on and off ramps at the US 141/Velp Avenue interchange and realign them slightly to meet current design standards and accommodate roundabouts at the interchange ramp terminals.
- Make minor improvements to existing indirect loop ramp geometry at the I-43/US 41 System Interchange to accommodate the wider US 41 mainline. Additional lighting along with enhanced signing and marking will be added to mitigate the tight loop ramps.
- Improve the semi-directional ramp from southbound US 41 to southbound I-43 to a 60 mph design speed, and the directional ramp from northbound I-43 to northbound US 41, to a 70 mph design speed.
- Maintain access from US 141/Velp Avenue to I-43 via US 41 as it is today.

Alternative D: US 41 expansion with C/D roadways between US 141/Velp Avenue and I-43 with Freeway Split Configuration

- Main difference between Alternative C and D is that under Alternative D, US 41 mainline would be reconstructed on a revised alignment that would allow for a left exit ramp for southbound US 41 to southbound I-43 within the existing interchange footprint.
- Construct Collector-Distributor (C/D) roads on both sides of US 41 between US 141/Velp Avenue and I-43. The C/D roads would accommodate traffic weaving movements rather than having those movements occur on the US 41 freeway mainline.
- Extend the on and off ramps at the US 141/Velp Avenue interchange and realign them slightly to meet current design standards and accommodate roundabouts at the interchange ramp terminals.
- Make minor improvements to existing indirect loop ramp geometry at the I-43/US 41 System Interchange to accommodate the wider US 41 mainline. Additional lighting along with enhanced signing and marking will be added to mitigate the tight loop ramps.
- Improve the semi-directional ramp from southbound US 41 to southbound I-43, and the directional ramp from northbound I-43 to northbound US 41, to a 70 mph design speed.
- Maintain access from US 141/Velp Avenue to I-43 via US 41 as it is today.

Alternative E: US 41 expansion with full reconfiguration of I-43/US 41 interchange

- Expand US 41 including a revised northbound alignment, and a raised northbound gradeline, to accommodate the southbound US 41 to southbound I-43 ramp within the existing interchange footprint and the northbound I-43 to southbound US 41 flyover ramp piers and foundations.
- Reconstruct I-43/US 41 System Interchange with high-speed direct ramps (all loop ramps eliminated)
- Eliminate existing access between US 141/Velp Avenue and I-43 via US 41; Atkinson Avenue or an alternate route would be used to access southbound I-43 from US 141/Velp Avenue or to access US 141/Velp Avenue from northbound I-43.

Demographic Information on Affected Community

As shown on the location map, the project is located primarily in the Village of Howard with a portion of the I-43 leg in the City of Green Bay. The displacements are all located in the Village of Howard. Demographic information is provided in Tables 1 and 2.

Table 1—Population Information

Total Population	Race					Age Profile		
	White	African American	American Indian and Alaska Native	Asian	Hispanic	Median Age	21 and Older	65 and Older
<i>Village of Howard</i>								
13,546	96%	<1%	<1%	<1%	1.1%	34	69%	8%
<i>City of Green Bay</i>								
102,313	86%	1.4%	3.3%	3.8%	7.1%	33	70%	12%
Source: U.S. Census Bureau, Census 2000								

Table 2—Household Information

Total Occupied Housing Units	Owner Occupied Units	Renter Occupied Units	Vacant Housing Units	Average Household Size
<i>Village of Howard</i>				
5,236	3,342 (64% of total) Median purchase price \$127,100	1,894 (36% of total)	114 (2 % of total)	2.6 people
<i>City of Green Bay</i>				
41,591	23,281 (56% of total) Median purchase price \$96,400	18,310 (44% of total)	1,532 (3.6 % of total)	2.4 people
Source: U.S. Census Bureau, Census 2000				

According to the *Village of Howard Comprehensive Plan*, September 2002, about 78% of the housing units in the village are under 20 years old and a substantial number of homes were built within the last 10 years. In the last 5 years there has been a steady climb in the number of new single-family homes, a moderate increase in the number of new duplexes, and a small amount of new apartment construction.

The median family income is \$56,579 for the Village of Howard and \$48,678 for Green Bay. The per capita income is \$21,688 for the Village of Howard and \$19,269 for Green Bay. The national poverty guideline is \$18,310 per capita income for households with 3 persons (Federal Register, January 23, 2009, Department of Health and Human Services).

Executive Order 12898 on Environmental Justice requires agencies to achieve environmental justice by identifying and addressing disproportionately high and adverse human health and environmental effects (including interrelated social and economic effects) on minority, low-income, disabled and elderly populations. The demographic and income information for the Village of Howard indicates little possibility for affecting Environmental Justice populations. Further, the project team has met or spoken with the majority of the affected home and business owners through the project's public information meetings and through individual contacts by WisDOT Northeast Region Real Estate staff. There are no known Environmental Justice concerns.

The Village of Howard is well-positioned to compete with larger communities in attracting businesses and industries. The village has 3 large industrial/business parks:

- Howard Industrial Park (575 acres) located in the northeast portion of the Village near Velp Avenue with access to USH 41 from CTH M (Lineville Road). According to the village's Comprehensive Plan, approximately 260 acres of undeveloped land east of the existing industrial park is available for future development.
- AMS and Lancaster Creek Business Parks (100 acres) located on the village's south side. According to the village's Comprehensive Plan, approximately 154 acres of additional land is available for possible future development in the vicinity of this business park.
- USH 41/STH 29 Retail Center (100 acres) located in the northwest quadrant of the USH 41/STH 29 interchange. A Woodman's grocery store has recently been constructed in this business park.

Divisive or Disruptive Effects on Communities and Neighborhoods

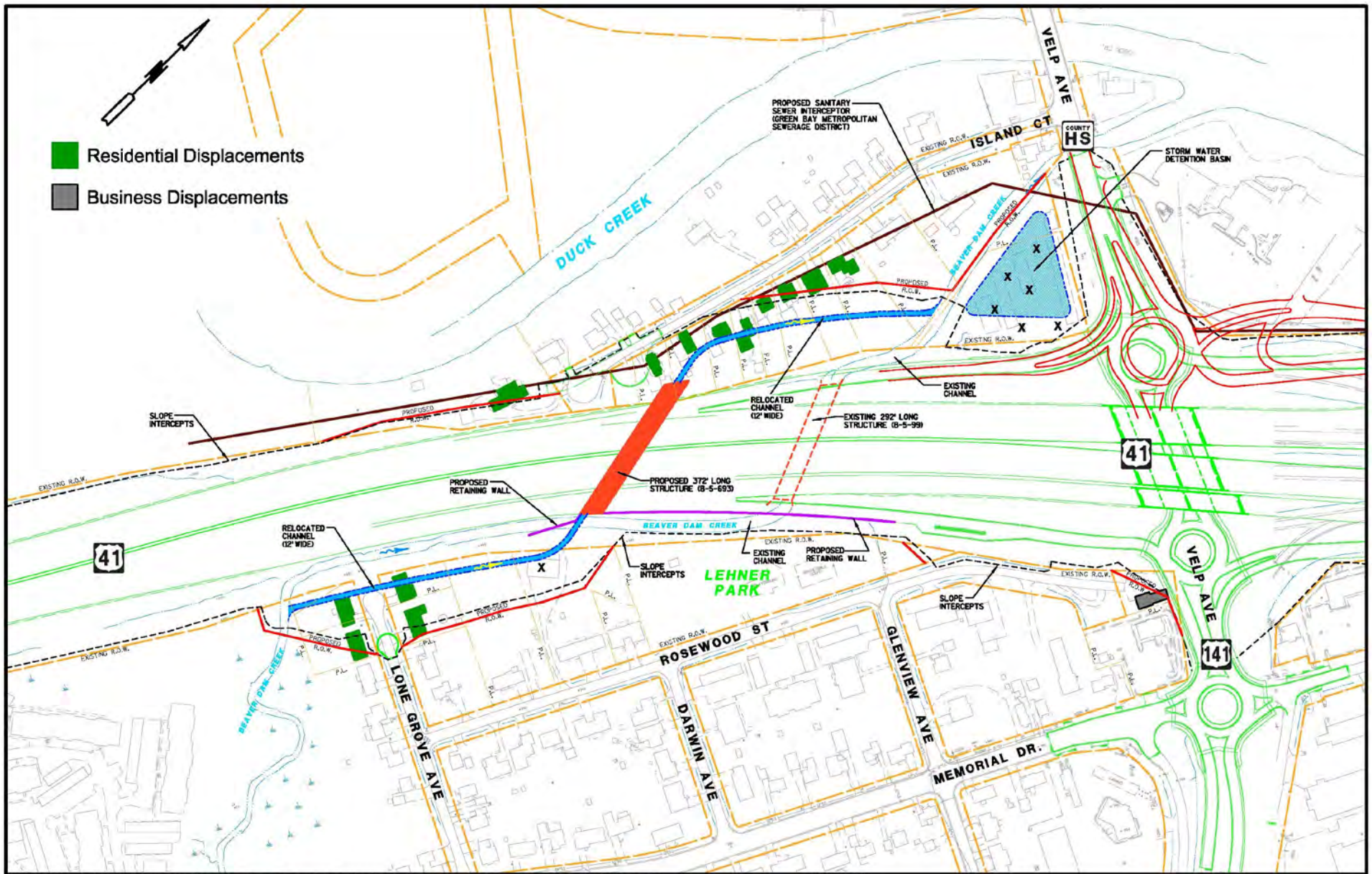
As shown on Figure 2, the residential displacements are located in the Island Court neighborhood west of US 41 and in the Lone Grove Avenue/Rosewood Street neighborhood east of US 41. The Island Court neighborhood is bordered by Duck Creek, US141/Velp Avenue and US 41. Beaver Dam Creek, a tributary to Duck Creek, flows diagonally through the northeast corner of the neighborhood. Access is off Velp Avenue, and Island Court ends with a cul-de-sac at the south end of the neighborhood. A mix of deciduous and evergreen trees along the lots adjacent to US 41 provides some visual screening from the freeway.

The Lone Grove Avenue/Rosewood Street neighborhood is bordered by US 41, open space to the south (Beaver Dam Creek floodplain), and Lehner Park to the north. Lehner Park is an approximate 2.6 acre neighborhood park with a small shelter, basketball court, playground equipment and picnic facilities. Beaver Dam Creek runs along northbound US 41 and the west side of the neighborhood. Lone Grove Avenue ends with a cul-de-sac near the existing Beaver Dam Creek channel. Access is available from Velp Avenue via Memorial Drive and from the local street network south of Velp Avenue. A mix of deciduous trees and shrubs along Beaver Dam Creek provides some visual screening from the freeway.

Both neighborhoods are shown on the Village of Howard's future land use map as remaining in residential use.

The residential displacements in both neighborhoods are due primarily to the proposed realignment of Beaver Dam Creek (see Figure 2).

Figure 2—Residential and Business Displacements



Impacts to the Island Court neighborhood involve purchasing/razing homes to accommodate shifting Beaver Dam Creek west of its present location. Similarly, the 4 homes at the Lone Grove Avenue cul-de-sac will be purchased and razed to accommodate shifting Beaver Dam Creek to the east at this location. The acquired homes presently provide a buffer between other adjacent homes and US 41. Their removal will result in remaining homes becoming the “first row” homes adjacent to US 41.

Residents on the west side of Island Court expressed concern about becoming “first row” homes adjacent to US 41 when the homes on the east side of Island Court are removed. Concerns included increased traffic noise and changes in the visual character of the neighborhood. Other general concerns about the proposed US 41 improvements included proximity effects of wider roadways, changes in travel patterns, and concern about having to move from homes and neighborhoods they have occupied for a long time.

Relocation Assistance Information

Acquisitions and relocations resulting from the US 41 Memorial Drive to County M project will be done in accordance with the Uniform Relocation Act of 1972. This law ensures landowners and tenants are treated fairly when the public interest requires acquisition and relocation of homes and businesses. Eligible persons relocated from their home or business will receive “Just Compensation for Property Acquired.” Other relocation assistance benefits include relocation advisory services, reimbursement of moving expenses, replacement housing payments, down payment assistance, replacement business payments, and business reestablishment expenses. Under State law, no person or business will be displaced unless a comparable replacement home or business is provided.

Relocation Services for Residential Displacements

In addition to maintaining necessary records and performing various administrative functions, the WisDOT Real Estate staff will offer and provide the following specific assistance to all residential relocatees:

1. Counsel each individual family with regard to their specific re-housing needs, resulting in securing replacement housing that is decent, safe and sanitary; adequate for their needs; suitably located; and within their financial means.
2. Continually gather data commensurate with the relocatee’s needs and advise them accordingly. Provide current and continuing information on availability, prices and rentals of comparable decent, safe and sanitary sales and rental housing. Arrangements will be made for inspection of referral housing and inspections will be made of those units the relocatee indicates a desire to rent or purchase. The purpose of the inspections is to formally certify adequacy and that the units are decent, safe and sanitary.
3. Assist prospective homeowners in obtaining mortgage financing and preparation and submission of offers to purchase. Assist in obtaining relocation documents such as credit reports, appraisals and surveys.
4. Advise prospective tenants on lease arrangements, tenant/landlord responsibilities, security deposit practices, and rental ranges.
5. Provide information and referrals to local welfare and social service assistance agencies when it appears there is a need for such service.
6. Provide information on school district boundaries and routing/scheduling of public transportation.
7. Make regular personal contacts with each relocatee to discuss and providing leads, referrals and all such other matters regarding re-housing which is of interest to the relocatee and necessary for successful relocation. Visitation will be geared to the complexity, specific needs, and level of availability of replacement properties, and will be repeated until the relocation agent’s responsibilities are discharged completely and fully in compliance with the spirit and intent of the program.
8. Provide assistance in completing claims for relocation payments for which each relocate may be eligible.
9. Assist in making moving arrangements including the transfer of utility service.

10. Provide all required written notices, delivered by personal contact whenever feasible to ensure full understanding of eligibility requirements, payment options, project information and other notices required by law, regulations, or as otherwise appropriate.

11. Advise relocates of grievance procedures, arrangements and agencies involved.

Services for Commercial Displacees

Relocation services for commercial displacees include the following:

A. Commercial Project Assurances

In accordance with Section 32.25(2)(b), Wisconsin Statutes, "Assist owners of displaced business concerns and farm operations in obtaining and becoming established in suitable business locations or replacement farms."

B. The commercial properties affected by the project will be assisted in their relocation in the following manner:

1. Maintain listings of vacant commercial properties.
2. Maintain close contact with local real estate agencies and brokers dealing in commercial space.
3. Inform business concerns of the Small Business Administration entitlements when federal aid is involved.
4. Contact local development corporations and other similar organizations to make all possible assistance available.
5. Assist in obtaining or transferring business permits and licenses.
6. Assist in securing and making moving arrangements.
7. Jointly develop an inventory of personal property to be moved.
8. Advise businesses in site management procedures, occupancy terms and conditions.
9. Advise displacees of their relocation claim entitlements and assist in filing the claim with documentation.

C. Contact with each commercial relocate will be made at regular intervals during which various leads or referrals will be offered. Visitations will be geared to the complexity, the specific needs, and the level of availability of replacement properties, and will be repeated until the relocation agent's responsibilities are completely and fully discharged and are in compliance with the spirit and intent of the program.

Special Relocation Advisory Services

As noted under "Demographic Information on Affected Communities" there are no known unusual circumstances with respect to race, income level, age, disability, or other factors that would require special relocation advisory services for owners or occupants of displaced homes or businesses.

Sufficient relocation housing is expected to be available and the number of residential displacements will not cause an undue hardship to the local real estate market. Table 3 summarizes housing availability within an approximate 3-mile distance from the US 41 project. The information is based on MLS real estate listings during August-September, 2010. During that time, there were approximately 25 single-family homes for sale.

Table 3—Housing Availability

Acquisition Price Range	Homes Displaced¹	Homes Available in Acquisition Price Range
\$103,900 - \$112,000	4 (1 @ 2-3-bdrms, 2 @ 3-4-bdrms, 1 @ 4 bdrms)	9 (6 @ 2 bdrms, 3 @ 3 bdrms)
\$126,100 - \$130,900	3 (1 @ 2-3 bdrms, 2 @ 3 bdrms)	9 (5 @ 3 bdrms, 3 @ 2 bdrms, 1 @ 5 bdrms)
\$131,400-\$146,100	3 (1 @ 2-3 bdrms, 2 @ 3 bdrms)	7 (5 @ 3 bdrms, 2 @ 4 bdrms)
Totals	10	25

Note: Displaced homes exclude 3 homes previously acquired by WisDOT. See Table 4 for more information.

Estimate of Residential Displacements

The proposed US 41 Memorial Drive to County M improvements will displace approximately 13 single-family homes. This estimate is based on preliminary engineering concept plans and is subject to change when more detailed engineering plans are developed. The residential displacements are summarized in Table 4.

Residential displacement cost estimates are summarized in Table 5. The total estimated cost for the residential displacements is approximately \$2.2 million.

Table 4—Residential Displacement Summary

Parcel Number ¹ and General Location	Characteristics	
	Type ²	Size (Estimated # of Bedrooms)
1. Island Court ³	2-story	5
2. Island Court ³	2-story	2-3
3. Island Court ³	2-story	2-3
4. Island Court	2-story	2-3
5. Island Court	Ranch	2-3
6. Island Court	2-story (vacant in 9/2010)	2-3
7. Island Court	2-story (vacant in 9/2010)	4
8. Island Court	2-story	3-4
9. Island Court	2-story	3-4
10. Lone Grove Avenue	Ranch	3
11. Lone Grove Avenue	Ranch	3
12. Lone Grove Avenue	Ranch	3
13. Lone Grove Avenue	Ranch	3
Notes: 1. Parcel numbers are for purposes of this report only. 2. All of the residential displacements are owner-occupied single-family homes. 3. Under certain circumstances, WisDOT's real estate process allows for property acquisition ahead of the project's normal real estate schedule. Such advanced or "hardship" acquisition occurs in situations where the owners have shown that the marketability of their property would be adversely affected by the proposed project and that a prolonged delay in acquisition would cause them undue hardship. Indicated homes have been purchased by WisDOT.		

Table 5—Residential Displacement Cost Summary

Parcel Number¹ and General Location	Acquisition Price²	Relocation Cost	Interest and Closing Cost	Moving Cost	Total Cost
1. Island Court ³	\$250,000	\$101,000	\$1,500	\$2,500	\$355,000
2. Island Court ³	\$110,000	\$25,000	\$1,500	\$2,500	\$139,000
3. Island Court ³	\$120,000	\$25,000	\$1,500	\$2,500	\$149,000
4. Island Court	\$126,100	\$25,000	\$1,500	\$2,500	\$155,100
5. Island Court	\$103,900	\$25,000	\$1,500	\$2,500	\$132,900
6. Island Court	\$131,400	\$25,000	\$1,500	\$2,500	\$160,400
7. Island Court	\$112,000	\$25,000	\$1,500	\$2,500	\$141,000
8. Island Court	\$110,900	\$25,000	\$1,500	\$2,500	\$139,900
9. Island Court	\$108,100	\$25,000	\$1,500	\$2,500	\$137,100
10. Lone Grove Avenue	\$130,500	\$25,000	\$1,500	\$2,500	\$159,500
11. Lone Grove Avenue	\$131,600	\$25,000	\$1,500	\$2,500	\$160,600
12. Lone Grove Avenue	\$146,100	\$25,000	\$1,500	\$2,500	\$175,100
13. Lone Grove Avenue	\$130,900	\$25,000	\$1,500	\$2,500	\$159,900
Totals	\$1,711,500	\$401,000	\$19,500	\$32,500	\$2,164,500

Notes:

1. Parcel numbers are for purposes of this report only.
2. Acquisition price (land + improvements) is based on a combination of 2009 assessed values from Brown County property tax records and WisDOT appraisals.
3. Properties have been acquired by WisDOT.

Estimate of Business Displacements

The proposed US 41 Memorial Drive to County M improvements will displace one business located in the southeast quadrant of the US 141/Velp Avenue interchange.

The business displacement estimate is based on preliminary engineering concept plans and is subject to change when more detailed engineering plans are developed. The business displacement is summarized in Table 6.

The business displacement cost estimates is summarized in Table 7. The total estimated cost for the business displacements is approximately \$250,000.

Table 6—Business Displacement Summary

Parcel Number ¹ and General Location	Name	Occupancy	Type and Characteristics
1. Velp Avenue ²	Green Bay Scuba Shop	Owner	Scuba and snorkeling equipment sales and diving instruction 3 employees estimated

Table 7—Business Displacement Cost Summary

Name	Acquisition Price ¹	Relocation	Search	Re-establish	Interest and Closing	Moving	Total
1. Velp Avenue ²	\$173,500	\$50,000	\$2,500	\$10,000	\$1,500	\$10,000	\$247,500
Totals	\$173,500	\$50,000	\$2,500	\$10,000	\$1,500	\$10,000	\$247,500

Notes:

1. Acquisition price (land + improvements) is based on WisDOT appraisal.
2. Under certain circumstances, WisDOT's real estate process allows for property acquisition ahead of the project's normal real estate schedule. Such advanced or "hardship" acquisition occurs in situations where the owners have shown that the marketability of their property would be adversely affected by the proposed project and that a prolonged delay in acquisition would cause them undue hardship. This business has been purchased by WisDOT.

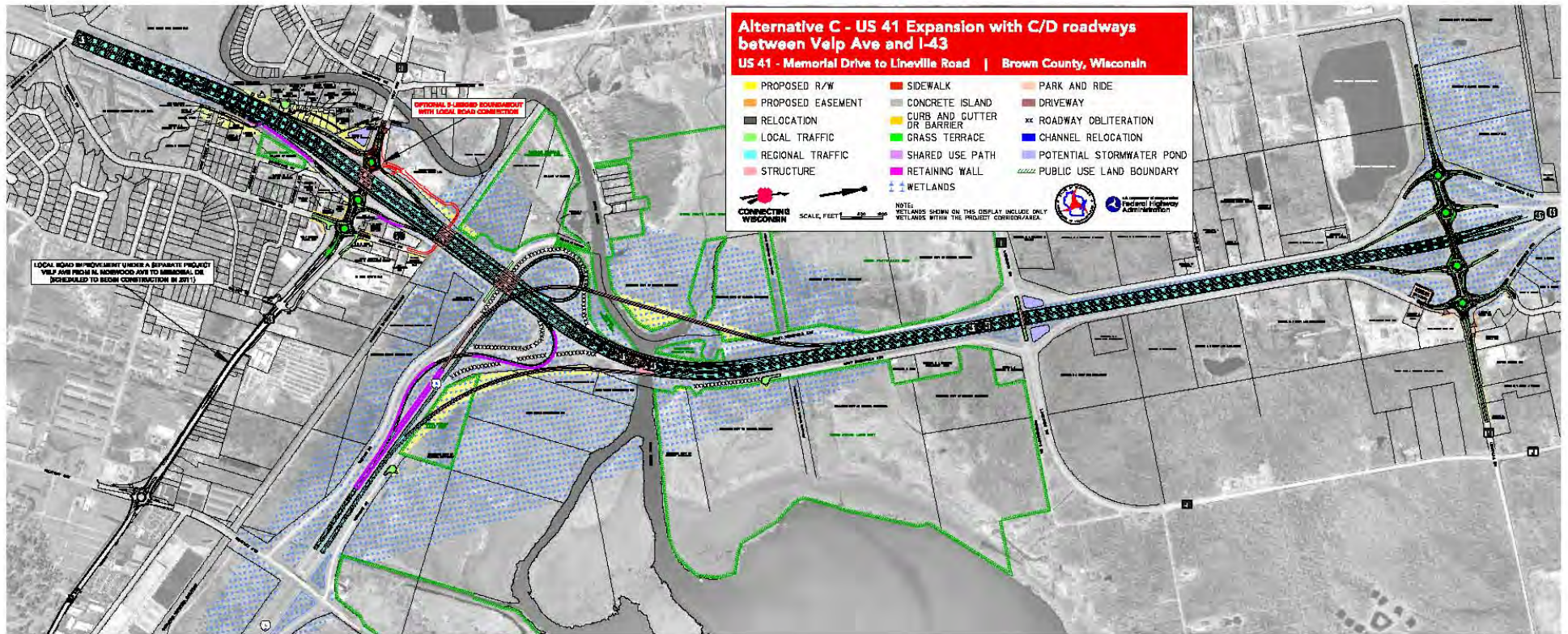
Summary

The proposed US 41 Memorial Drive to County M improvements will displace approximately 13 single-family homes and one business. The total estimated cost for the residential displacements is approximately \$2.2 million and the total estimated cost for the business displacement is approximately \$250,000.

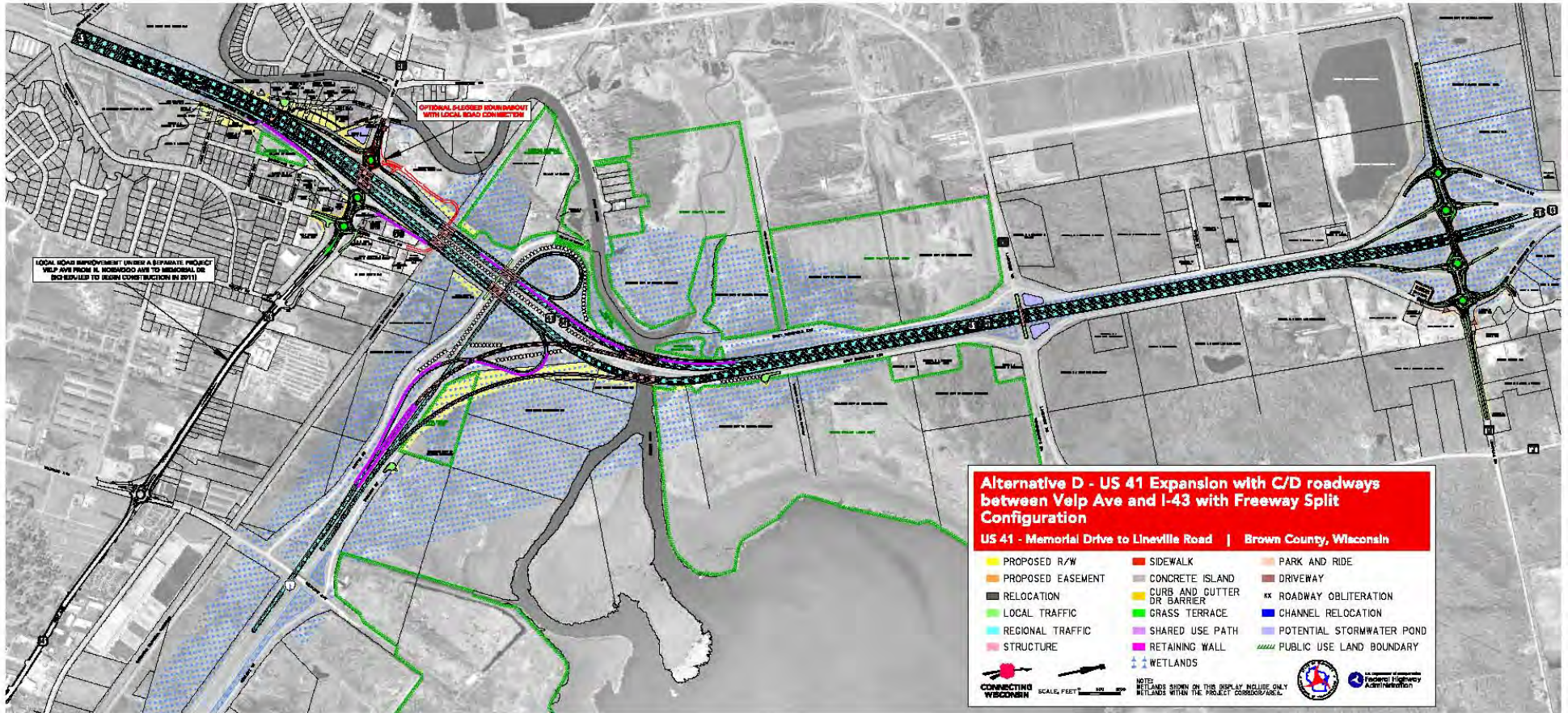
The residential and business displacements discussed in this Conceptual Stage Relocation Plan are based on preliminary project information and are subject to change when more detailed engineering plans are developed.

There are no known Environmental Justice concerns with the residential or business displacements, no substantive divisive or disruptive effects on communities or neighborhoods were identified, and no special relocation advisory services are anticipated to be needed.

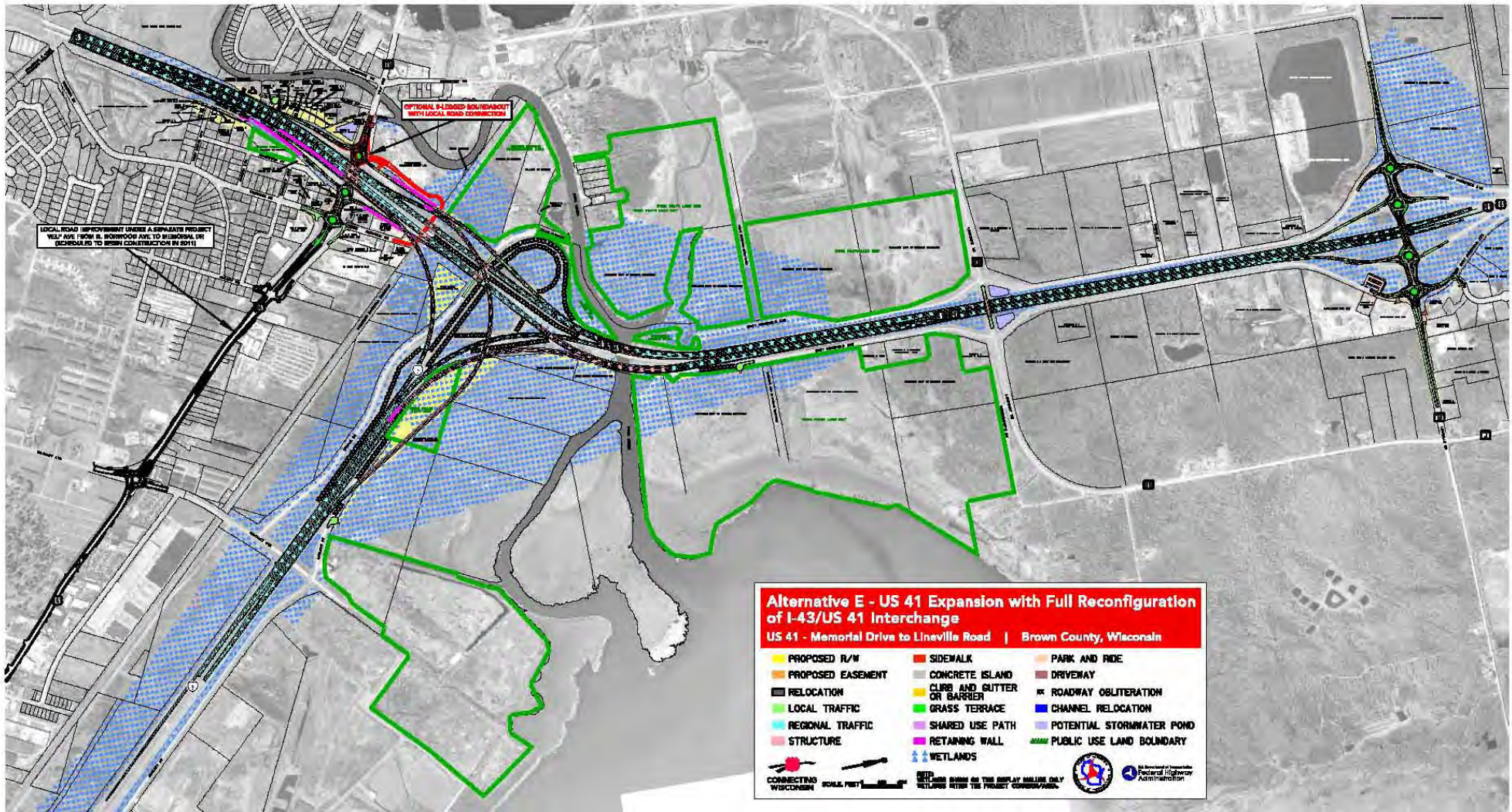
ALTERNATIVE C PROJECT MAP
(As presented at August 18, 2010 public information meeting)



ALTERNATIVE D PROJECT MAP
(As presented at August 18, 2010 public information meeting)



ALTERNATIVE E PROJECT MAP
(As presented at August 18, 2010 public information meeting)



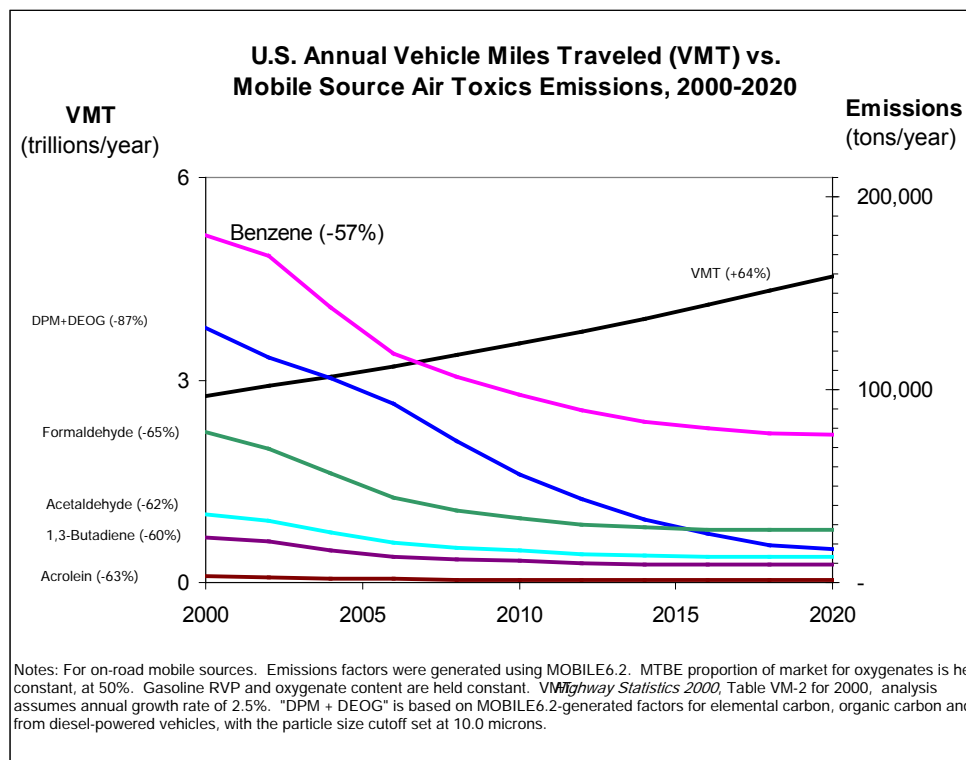
APPENDIX B
Mobile Source Air Toxics (MSAT)
Qualitative Analysis

Mobile Source Air Toxics

In addition to the criteria air pollutants for which there are National Ambient Air Quality Standards (NAAQS), EPA also regulates air toxics. Most air toxics originate from human-made sources, including on-road mobile sources, non-road mobile sources (e.g., airplanes), area sources (e.g., dry cleaners) and stationary sources (e.g., factories or refineries).

Mobile Source Air Toxics (MSATs) are a subset of the 188 air toxics defined by the Clean Air Act. The MSATs are compounds emitted from highway vehicles and non-road equipment. Some toxic compounds are present in fuel and are emitted to the air when the fuel evaporates or passes through the engine unburned. Other toxics are emitted from the incomplete combustion of fuels or as secondary combustion products. Metal air toxics also result from engine wear or from impurities in oil or gasoline.

The EPA is the lead Federal Agency for administering the Clean Air Act and has certain responsibilities regarding the health effects of MSATs. The EPA issued a Final Rule on Controlling Emissions of Hazardous Air Pollutants from Mobile Sources. 66 FR 17229 (March 29, 2001). This rule was issued under the authority in Section 202 of the Clean Air Act. In its rule, EPA examined the impacts of existing and newly promulgated mobile source control programs, including its reformulated gasoline (RFG) program, its national low emission vehicle (NLEV) standards, its Tier 2 motor vehicle emissions standards and gasoline sulfur control requirements, and its proposed heavy duty engine and vehicle standards and on-highway diesel fuel sulfur control requirements. Between 2000 and 2020, FHWA projects that even with a 64 percent increase in VMT, these programs will reduce on-highway emissions of benzene, formaldehyde, 1,3-butadiene, and acetaldehyde by 57 percent to 65 percent, and will reduce on-highway diesel PM emissions by 87 percent, as shown in the following graph:



As a result, EPA concluded that no further motor vehicle emissions standards or fuel standards were necessary to further control MSATs. The agency is preparing another rule under authority of CAA Section 202(l) that will address these issues and could make adjustments to the full 21 and the primary six MSATs.

This EA includes a basic analysis of the likely MSAT emission impacts of this project. However, available technical tools do not enable us to predict the project-specific health impacts of the emission changes associated with the alternatives in this EA. Due to these limitations, the following discussion is included in accordance with CEQ regulations (40 CFR 1502.22(b)) regarding incomplete or unavailable information:

Information that is Unavailable or Incomplete.

Evaluating the environmental and health impacts from MSATs on a proposed highway project would involve several key elements, including emissions modeling, dispersion modeling in order to estimate ambient concentrations resulting from the estimated emissions, exposure modeling in order to estimate human exposure to the estimated concentrations, and then final determination of health impacts based on the estimated exposure. Each of these steps is encumbered by technical shortcomings or uncertain science that prevents a more complete determination of the MSAT health impacts of this project.

1. Emissions: The EPA tools to estimate MSAT emissions from motor vehicles are not sensitive to key variables determining emissions of MSATs in the context of highway projects. While MOBILE 6.2 is used to predict emissions at a regional level, it has limited applicability at the project level. MOBILE 6.2 is a trip-based model--emission factors are projected based on a typical trip of 7.5 miles, and on average speeds for this typical trip. This means that MOBILE 6.2 does not have the ability to predict emission factors for a specific vehicle operating condition at a specific location at a specific time. Because of this limitation, MOBILE 6.2 can only approximate the operating speeds and levels of congestion likely to be present on the largest-scale projects, and cannot adequately capture emissions effects of smaller projects. For particulate matter, the model results are not sensitive to average trip speed, although the other MSAT emission rates do change with changes in trip speed. Also, the emissions rates used in MOBILE 6.2 for both particulate matter and MSATs are based on a limited number of tests of mostly older-technology vehicles. Lastly, in its discussions of PM under the conformity rule, EPA has identified problems with MOBILE6.2 as an obstacle to quantitative analysis.

These deficiencies compromise the capability of MOBILE 6.2 to estimate MSAT emissions. MOBILE6.2 is an adequate tool for projecting emissions trends, and performing relative analyses between alternatives for very large projects, but it is not sensitive enough to capture the effects of travel changes tied to smaller projects or to predict emissions near specific roadside locations.

2. Dispersion. The tools to predict how MSATs disperse are also limited. The EPA's current regulatory models, CALINE3 and CAL3QHC, were developed and validated more than a decade ago for the purpose of predicting episodic concentrations of carbon monoxide to determine compliance with the NAAQS. The performance of dispersion models is more accurate for predicting maximum concentrations that can occur at some time at some location within a geographic area. This limitation makes it difficult to predict accurate exposure patterns at specific times at specific highway project locations across an urban area to assess potential health risk. The NCHRP is conducting research on best practices in applying models and other technical methods in the analysis of MSATs. This work also will focus on identifying appropriate methods of documenting and communicating MSAT impacts in the NEPA process and to the general public. Along with these general limitations of dispersion models, FHWA is also faced with a lack of monitoring data in most areas for use in establishing project-specific MSAT background concentrations.
3. Exposure Levels and Health Effects. Finally, even if emission levels and concentrations of MSATs could be accurately predicted, shortcomings in current techniques for exposure assessment and risk analysis preclude us from reaching meaningful conclusions about project-specific health impacts. Exposure assessments are difficult because it is difficult to accurately calculate annual concentrations of MSATs near roadways, and to determine the portion of a year that people are actually exposed to those concentrations at a specific location. These difficulties are magnified for 70-year cancer assessments, particularly because unsupportable assumptions would have to be made regarding changes in travel patterns and vehicle technology (which affects emissions rates) over a 70-year period.

There are also considerable uncertainties associated with the existing estimates of toxicity of the various MSATs, because of factors such as low-dose extrapolation and translation of occupational exposure data to the general population. Because of these shortcomings, any calculated difference in health impacts between alternatives is likely to be much smaller than the uncertainties associated with calculating the impacts. Consequently, the results of such assessments would not be useful to decision makers, who would need to weigh this information against other project impacts that are better suited for quantitative analysis.

Summary of Existing Credible Scientific Evidence Relevant to Evaluating the Impacts of MSATs.

Research into the health impacts of MSATs is ongoing. For different emission types, there are a variety of studies that show that some either are statistically associated with adverse health outcomes through epidemiological studies (frequently based on emissions levels found in occupational settings) or that animals demonstrate adverse health outcomes when exposed to large doses.

Exposure to toxics has been a focus of a number of EPA efforts. Most notably, the agency conducted the National Air Toxics Assessment (NATA) in 1996 to evaluate modeled estimates of human exposure applicable to the county level. While not intended for use as a measure of or benchmark for local exposure, the modeled estimates in the NATA database best illustrate the levels of various toxics when aggregated to a national or State level.

The EPA is in the process of assessing the risks of various kinds of exposures to these pollutants. The EPA Integrated Risk Information System (IRIS) is a database of human health effects that may result from exposure to various substances found in the environment. The IRIS database is located at <http://www.epa.gov/iris>. The following toxicity information for the six prioritized MSATs was taken from the IRIS database *Weight of Evidence Characterization* summaries. This information is taken verbatim from EPA's IRIS database and represents the Agency's most current evaluations of the potential hazards and toxicology of these chemicals or mixtures.

- **Benzene** is characterized as a known human carcinogen.
- The potential carcinogenicity of **acrolein** cannot be determined because the existing data are inadequate for an assessment of human carcinogenic potential for either the oral or inhalation route of exposure.
- **Formaldehyde** is a probable human carcinogen, based on limited evidence in humans, and sufficient evidence in animals.
- **1,3-butadiene** is characterized as carcinogenic to humans by inhalation.
- **Acetaldehyde** is a probable human carcinogen based on increased incidence of nasal tumors in male and female rats and laryngeal tumors in male and female hamsters after inhalation exposure.
- **Diesel exhaust** (DE) is likely to be carcinogenic to humans by inhalation from environmental exposures. Diesel exhaust as reviewed in this document is the combination of diesel particulate matter and diesel exhaust organic gases.
- **Diesel exhaust** also represents chronic respiratory effects, possibly the primary noncancer hazard from MSATs. Prolonged exposures may impair pulmonary function and could produce symptoms, such as cough, phlegm, and chronic bronchitis. Exposure relationships have not been developed from these studies.

There have been other studies that address MSAT health impacts in proximity to roadways. The Health Effects Institute, a non-profit organization funded by EPA, FHWA, and industry, has undertaken a major series of studies to research near-roadway MSAT hot spots, the health implications of the entire mix of mobile source pollutants, and other topics. The final summary of the series is not expected for several years.

Some recent studies have reported that proximity to roadways is related to adverse health outcomes -- particularly respiratory problems¹. Much of this research is not specific to MSATs, instead surveying the full spectrum of both criteria and other pollutants. The FHWA cannot evaluate the validity of these studies, but more importantly, they do not provide information that would be useful to alleviate the uncertainties listed above and enable us to perform a more comprehensive evaluation of the health impacts specific to this project.

Relevance of Unavailable or Incomplete Information to Evaluating Reasonably Foreseeable Significant Adverse Impacts on the Environment, and Evaluation of impacts based upon theoretical approaches or research methods generally accepted in the scientific community.

Because of the uncertainties outlined above, a quantitative assessment of the effects of air toxic emissions impacts on human health cannot be made at the project level. While available tools do allow us to reasonably predict relative emissions changes between alternatives for larger projects, the amount of MSAT emissions from each of the project alternatives and MSAT concentrations or exposures created by each of the project alternatives cannot be predicted with enough accuracy to be useful in estimating health impacts. (As noted above, the current emissions model is not capable of serving as a meaningful emissions analysis tool for smaller projects.) Therefore, the relevance of the unavailable or incomplete information is that it is not possible to make a determination of whether any of the alternatives would have "significant adverse impacts on the human environment."

In this document, FHWA has provided a quantitative analysis of MSAT emissions relative to the various alternatives, (or a qualitative assessment, as applicable) and has acknowledged that (some, all, or identify by alternative) the project alternatives may result in increased exposure to MSAT emissions in certain locations, although the concentrations and duration of exposures are uncertain, and because of this uncertainty, the health effects from these emissions cannot be estimated.

As discussed above, technical shortcomings of emissions and dispersion models and uncertain science with respect to health effects prevent meaningful or reliable estimates of MSAT emissions and effects of this project. However, even though reliable methods do not exist to accurately estimate the health impacts of MSATs at the project level, it is possible to qualitatively assess the levels of future MSAT emissions under the project.

Although a qualitative analysis cannot identify and measure health impacts from MSATs, it can give a basis for identifying and comparing the potential differences among MSAT emissions—if any—from the various alternatives. The qualitative assessment presented below is derived in part from a study conducted by the FHWA entitled *A Methodology for Evaluating Mobile Source Air Toxic Emissions Among Transportation Project Alternatives*, found at: www.fhwa.dot.gov/environment/airtoxic/msatcompare/msatemissions.htm.

For the build alternatives considered in the US 41 Memorial Drive to County M EIS, the amount of MSATs emitted would be proportional to the vehicle miles traveled, or VMT, assuming that other variables such as fleet mix are the same for each alternative. The VMT estimated for the build alternatives would be slightly higher than for the no build Alternative, because the additional capacity increases the efficiency of the roadway and attracts rerouted trips from elsewhere in the transportation network. This increase in VMT would lead to higher MSAT emissions for the action alternative along the highway corridor, along with a corresponding decrease in MSAT emissions on other routes.

Emissions will likely be lower than present levels in the design year as a result of EPA's national control programs that are projected to reduce MSAT emissions by 57 to 87 percent between 2000 and 2020. Local conditions may differ from these national projections in terms of fleet mix and turnover, VMT growth rates, and local control measures. However, the magnitude of the EPA-projected reductions is so great (even after accounting for VMT growth) that MSAT emissions in the study area are likely to be lower in the future in nearly all cases.

¹ South Coast Air Quality Management District, Multiple Air Toxic Exposure Study-II (2000); Highway Health Hazards, The Sierra Club (2004) summarizing 24 Studies on the relationship between health and air quality); NEPA's Uncertainty in the Federal Legal Scheme Controlling Air Pollution from Motor Vehicles, Environmental Law Institute, 35 ELR 10273 (2005) with health studies cited therein.

Stockbridge-Munsee Tribal Historic Preservation Office

Sherry White - Tribal Historic Preservation Officer

N8510 Mohican Road

P.O. Box 70

Bowler, WI 54416

January 23, 2007

WISDOT

Northeast Regional Office

Charles A. Karow, P.E.

Project Manager

944 Vanderperren Way

P.O. Box 28080

Green Bay, WI 54324-0080

RE: Project I.D. 1133-10-00/01

DePere - Suamico

USH 41, Brown County

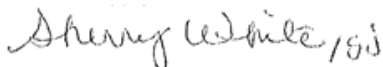
Dear Mr. Karow:

Thank you for contacting the Stockbridge-Munsee Tribe regarding the above referenced project. The Tribe is committed to protecting archaeological sites that are important to tribal heritage, culture and religion. Furthermore, the Tribe is particularly concerned with archaeological sites that may contain human burial remains and associated funerary objects.

As described in your correspondence, the proposed ground disturbing activity of this project does not appear to be in a region of archaeological interest to the Stockbridge-Munsee Tribe. The counties of concern in Wisconsin are Outagamie, Calumet and Shawano.

We appreciate your cooperation in contacting the Historic Preservation Office. Should you have any questions, feel free to contact me.

Sincerely,



Sherry White,

Tribal Historical Preservation Officer

(715) 793-3970

Email: sherry.white@mohican-usn.gov



HO-CHUNK NATION
Department of Heritage Preservation
Cultural Resources Division
Post Office Box 667
Black River Falls, WI 54615-0667
Telephone (715) 284-7181 FAX (715) 284-7449

Charles A. Karow, P.E.
WisDOT Northeast Region
944 Vanderperren Way
PO Box 28080
Green Bay, WI 54324-0080
920.492.5623

January 29, 2007

RE: **Project I.D. 1133-10-00/01 USH 41, Brown County**

Dear Mr. Karow,

Thank you for notifying the Ho-Chunk Nation (HCN) in your endeavors. We are encouraged by your efforts in the consultation process. The HCN would like you to be aware of the fact, your undertaking falls within the aboriginal areas of the HCN and we request to be considered as a consulting party throughout the Section 106 process for this project.

Due to the nature and sensitivity of many of our Traditional Cultural Properties (TCP's) the HCN does not publicly list and/or share TCP information with other state or federal agencies. For this reason, there are many sites significant to the Ho-Chunk people that are not listed on the State Historical Society's databases or on secular written documents normally used for your type of project review. With that in mind, the HCN Heritage Preservation Department will conduct an internal archival and cultural review for your specific project site at your request, for a service cost of \$220.00. If there are likely TCP's associated with the HCN that exist within your project area, we would then request to discuss these with your agency confidentially on a government to government level. Doing so early in the consultation process can expedite this aspect of your undertaking.

We will also recommend your agency seek an archaeological firm that is experienced in working with and acceptable to the Wisconsin Indian Tribes in that it will save all parties involved valuable time during the consultation process.

If this project proceeds to the point where onsite project work begins, we request that when inadvertent finds concerning cultural resources such as pottery, shards, historic/pre-historic artifacts or bone fragments/human remains occur during the process involved with this project, please contact the Ho-Chunk Nation Heritage Preservation.

If there are any questions or concerns, please contact us at (715) 284-7181.

Respectfully,

A handwritten signature in black ink, appearing to read "William Quackenbush", is written over a horizontal line.

William Quackenbush
Tribal Historic Preservation Officer
Ho-Chunk Nation

Cc Larry Garvin, HCN Heritage Preservation Director

To preserve, protect and nurture the cultural, religious and historic resources of the Ho-Chunk Nation in its entirety.



Sac and Fox Nation of Missouri in Kansas and Nebraska

305 North Main St., Reserve, KS 66434
Phone: (785) 742-7471 Fax: (785) 742-3785

February 14, 2007

Charles Karow, P.E.
WisDOT Project Manager
Northeast Regional Office
944 Vanderperren Way
PO Box 28080
Green Bay WI 54324-0080

Dear Mr. Karow:

Thank you for your letter, which is in compliance with Section 106 of the National Historic Preservation Act, and Section 110.

Project: 1133-10-00/01

The Sac and Fox Nation of Missouri in Kansas and Nebraska NAGPRA department have determined the above project as:

No objections. However, if human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, please stop immediately and notify NAGPRA representative, Deanne Bahr, at the address above.

There are two other bands of Sac and Fox that also need to be contacted, the Sac and Fox Nation of Oklahoma and the Sac and Fox of the Mississippi in Iowa.

Johnathan Buffalo, NAGPRA Representative
Sac and Fox of the Mississippi in Iowa
349 Meskwaki Rd.
Tama, IA 52339-9629

Sandra Massey, NAGPRA Representative
Sac and Fox Nation of Oklahoma
Rt. 2, Box 246
Stroud, OK 74079

If you have any questions, please contact me at the number or address above.

Sincerely,

Deanne Bahr
Sac and Fox Nation of Missouri in Kansas and Nebraska
NAGPRA Contact Representative



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Green Bay ES Field Office
2661 Scott Tower Drive
New Franken, Wisconsin 54229-9565
Telephone 920/866-1717
FAX 920/866-1710

February 13, 2007

Mr. Charles A. Karow
Wisconsin Department of Transportation
Northeast Region
944 Vanderperren Way
Post Office Box 28080
Green Bay, Wisconsin 54324-0080

re: Proposed Interchange Reconstruction
Project ID 1133-10-00/01
USH 41/IH 43
City of Green Bay
Brown County, Wisconsin

Dear Mr. Karow:

The U.S. Fish and Wildlife Service (Service) has received your letter dated January 22, 2007, requesting comments on the subject project. The project entails reconstruction of the interchange of U.S. Highway 41 and Interstate Highway 43 in the City of Green Bay, Brown County, Wisconsin. We have reviewed the information provided in your letter and our comments follow.

Federally-Listed Species, Candidate Species, and Critical Habitat

Currently, we have no records that federally-listed threatened or endangered species or critical habitat are present at the project site. However, our records are not comprehensive. Please be aware that over time, habitats near the project site may be utilized by listed or proposed species not present at this time. Therefore, if there is a time lag of more than 12 months between plan completion and execution, it is important to reassess the impact of the project on federally-listed or proposed species or designated critical habitat prior to start of construction activities.

As this project involves a Federal action (i.e., authorization, funding, or is carried out in whole or in part by a Federal agency), the Federal Highway Administration (FHWA) or its designated agent is responsible for making a determination under Section 7 of the Endangered Species Act of 1973, as amended (ESA), as to whether the selected project alternative may affect federally-listed threatened or endangered species or designated critical habitat. If the proposed project may affect, but is unlikely to adversely affect federally-listed threatened or endangered species or designated critical habitat, FHWA or its agent must obtain written concurrence from our office. If the project may affect, and is likely to adversely affect federally-listed species or adversely

modify designated critical habitat, FHWA must initiate formal consultation with the Service in accordance with section 7 of the ESA. Further information on the section 7 consultation process can be obtained by contacting the staff person identified at the end of this letter.

Beaver Dam Creek Crossing

The Service does not have a preference regarding the selection of Alternative A or Alternative B for the crossing of Beaver Dam Creek. Your letter states that “[b]oth alternatives will likely require a channel change of Beaver Dam Creek at the ends of the culvert.” We recommend that any reconstruction of the channel be designed and executed so as to maintain or restore a natural streambed and shorelines for the affected portion of the creek. The reconstruction should not involve any hardening of the creek channel. Installation of riprap and other permanent structures does not allow waterways to move and change course naturally over time. Such structures also prevent wildlife from burrowing into streambanks, and may inhibit breeding, hibernating, or other similar activities by some reptiles, amphibians, birds, and mammals. In addition, the installation of structures such as piles of riprap can encourage the establishment of non-native and invasive species, and prevent the growth of native riparian vegetation. Should stabilization be required, we recommend that you use alternatives such as sloping the streambank at a gentle grade with planting of native riparian vegetation and the installation of ‘J-hooks’ or stream bars.

Duck Creek Crossing

The Service defers to the expertise of the Army Corps of Engineers and the Wisconsin Department of Natural Resources on issues of navigation. However, if there are no navigational obstacles associated with either alternative, we prefer Alternative A due to its apparent fewer impacts to the streambed and shoreline versus Alternative B. Whichever alternative is selected, we recommend that you consider lengthening the bridge(s) sufficient to allow safe passage of wildlife and possibly pedestrians beneath the bridge on either side of the creek.

Migratory Birds

Under the Migratory Bird Treaty Act of 1918, as amended, it is unlawful to take, capture, kill, or possess migratory birds, their nests, eggs, and young. The project area includes habitat suitable for nesting by a large variety of migratory bird species. Potential habitat or nesting structures should be removed before the initiation of spring nesting for migrants or after the breeding season has ended.

If migratory birds are known to nest on any of the project structures, construction should begin before the initiation of the breeding season for those species or after breeding has concluded. Alternatively, the structures can be screened before the breeding season to prevent nesting. For the Green Bay area, we recommend that screening or any other habitat disturbance occur before May 1 or after August 1 to minimize potential impacts to migratory birds, but please be aware that some species may initiate nesting before May 1.


Other Comments

The existing and proposed reconstructed interchange of USH 41 and IH 43 will have substantial cumulative impacts on the wetlands and other habitats adjacent to Duck Creek and Green Bay. Much of the area in question has been degraded by fill, fragmentation, and secondary impacts, but there remain large areas of high quality wetland and other habitats. Further, the area as a whole comprises an important habitat complex for Green Bay and Lake Michigan and supports a diversity of fish and wildlife species. All alternatives for the interchange and associated projects (i.e., reconstruction of the Atkinson Drive ramp) should be designed to minimize additional fragmentation of natural areas and, wherever possible, to remedy prior fragmentation. We request that you notify us of future opportunities to review and discuss alignments, natural resource impacts, and mitigation options for those impacts.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Ms. Leakhena Au at 920-866-1734.

Sincerely,



 Louise Clemency
Field Supervisor

cc: USACE, Regulatory Branch, Green Bay, WI Attn: Linda Kurtz
Wisconsin DNR, Northeast Region, Green Bay, WI Attn: Al Stranz



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
190 FIFTH STREET EAST
ST. PAUL, MN 55101-1638

February 21, 2007

REPLY TO ATTENTION OF:
Operations-Regulatory
(2006-6047-LMK)

Mr. Johnny M. Gerbitz
U.S. Department of Transportation
Federal Highway Administration
567 D'Onofrio Drive, Suite 100
Madison, Wisconsin 53719-2814

Mr. Charles A. Karow
Wisconsin Department of Transportation Northeast Region
944 Vanderperren Way
PO Box 28080
Green Bay, Wisconsin 54324-0080

Dear Mr. Gerbitz and Mr. Karow:

This letter is regarding a WisDOT January 22, 2007, letter requesting comments as part of a project development process and specifically pertaining to impacts to Beaver Dam Creek and Duck Creek for reconstruction of US 41 and Interstate 43 (Project ID 1133-10-00/01 – USH 41 Memorial Drive – CTH M).

The Corps participated in an October 23, 2006, agency coordination meeting for the USH 41/I-43 Interchange project. At that meeting we learned that an Environmental Assessment (EA) had previously been completed pursuant to the National Environmental Policy Act (NEPA) for reconstruction along USH 41 and that a finding of no significant impact (FONSI) from the Federal Highway Administration was received by WisDOT on April 4, 2003. It is our understanding that the finding was based on minimal work to the existing configuration of the I-43/USH 41 interchange. Since the time of this finding and as a result of the SAFETEA-LU legislation, we have been informed that USH 41 has been designated as an interstate highway. This has resulted in reconsideration of the originally proposed interchange configuration to eliminate tight loops and provide an interstate-to-interstate connection. Therefore, the scope of analysis for the Memorial Drive – CTH M project section has changed to include an expanded interchange and additional wetland impacts for the section of I-43 from USH 41 southeasterly to Atkinson Drive.

A new set of maps (Current Plan Option – October 2006) showing a new interchange configuration was provided for discussion at the agency coordination meeting. This Current Plan Option shows the locations of the Beaver Dam Creek and

Operations
Regulatory (2006-6047-LMK)

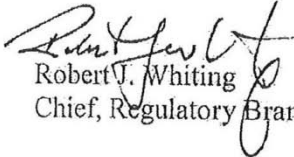
- 2 -

Duck Creek crossings for which our comments are being sought. The Current Plan Option would also involve a great deal of impact to jurisdictional wetlands. If these potential wetland impacts were not previously addressed in the FONSI referenced above, a supplemental environmental review pursuant to NEPA would be necessary for reconstruction of the interchange. Comments for impacts to Beaver Dam Creek and Duck Creek would be a part of the process to prepare that document.

The Corps is requesting to be a Cooperating Agency in your supplemental environmental review to satisfy NEPA. We would appreciate your written response by March 1, 2007, regarding your plans for this review. In the meantime, we will be reviewing and commenting on the impacts associated with the specific sites as referenced above.

Thank you for your continued coordination efforts in this project. If you have any questions, contact Ms. Linda Kurtz in our Green Bay office at (920) 448-2824. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,


Robert J. Whiting
Chief, Regulatory Branch



Sac & Fox Tribe of the Mississippi in Iowa

449 Meskwaki Road, Tama, IA 52339-9634 • (641) 484-4678 FAX (641) 484-5424

October 30, 2007

Division of Transportation
System Development
Northeast Regional Office
944 Vanderperren Way
P.O. Box 28080
Green Bay, WI 54324-0080

To Whom It May Concern:

Thank you for your letter concerning the project:

WisDOT I.D. 1150-46-00

At this time, the Historical Preservation Department of the Sac and Fox of the Mississippi in Iowa has determined the above listed has:

- ☐ No interest in the area geographically
- ☐ No comment on the proposed undertaking
- ☒ No objections. However, if human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, please stop immediately and notify the NAGPRA Representative, Johnathan L. Buffalo.
- ☐ Have an objection or require additional project information. Please send the following:

Sincerely,

Johnathan L. Buffalo
Historical Preservation Director/NAGPRA Rep.
Sac and Fox of the Mississippi in Iowa

Cc: File



Division of Historic Preservation

LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS
TRIBAL HISTORIC PRESERVATION

November 2, 2007

Mindy Gardner, P.E.
WisDOT NE Region, Planning Section
P.O. Box 28080
Green Bay, WI 54324-0080

SUBJECT: Project 1150-46-00, Brown and Oconto Counties, WI

Dear Mindy Gardner, P.E:

In response to your letter dated October 13, 2007, the Lac du Flambeau Band of Lake Superior Chippewa Indians would like to express concerns with any impacts to historic properties located within the project area of potential effect for the project mentioned above. This project is located within the aboriginal territory of the Lac du Flambeau Band and has the potential to impact areas of cultural significance.

Please forward the Archaeological report and results of any information gathered to identify cultural or historic properties within the area of potential effect. Lac du Flambeau would request consultation with the appropriate federal agency pursuant to Section 106 of the National Historic Preservation Act, as amended, for any impacts or effects to cultural or historic properties as a result of this project. The letter we have received does not indicate the federal agency you are working with.

If requested, the Lac du Flambeau Tribal Historic Preservation Office is available to assist in the identification of cultural resources or an archaeological/historical assessment under a contract or service fee. We will gladly conduct an archival review at the cost \$250, as this type of review is time consuming and requires professional tribal services.

Due to the nature and sensitivity of many of our historical and cultural sites, the Lac du Flambeau Historic Preservation Office does not openly list and share that type of information with private agencies, without a signed confidentiality agreement. As such, there are many sites significant to the Lac du Flambeau Tribe that are not listed on the State Historical Society's database. Therefore, we would encourage you to use other methods beyond archeology, such as conducting oral interviews, to assist with identifying the potential effect this project may have on the area.

P.O. Box 67
Lac du Flambeau, WI 54438

Feel free to contact me at (715) 588-2139 if you have any questions or concerns.

Phone: 715 588-2139 or 588-2270

Fax: 715 588-2119

E-Mail: ldfthpo@nnet.net

It is the mission of the Lac du Flambeau Cultural Committee and the Lac du Flambeau Tribal Historic Preservation Office to promote, educate, enhance, identify, encourage, and preserve cultural and traditional activities, materials, and areas for the benefit of future generations. We shall also defend all ancestral burials and traditional cultural properties from disinterment or desecration.

- 2 -

November 2, 2007

Sincerely,

Kelly S. Jackson-Golly
Kelly S. Jackson-Golly
Tribal Historic Preservation Officer

C7



Sac and Fox Nation of Missouri in Kansas and Nebraska

305 North Main Street • Reserve, Kansas 66434
Phone (785) 742-7471 • Fax (785) 742-3785

November 30, 2007

Mindy Gardner, P.E.
WisDOT NE Region, Planning Section
944 Vanderperren Way
PO Box 28080
Green Bay, WI 54324-0080

Dear Ms. Gardner:

Thank you for your letter, which is in compliance with Section 106 of the National Historic Preservation Act, and Section 110.

Project: 1150-46-00

The Sac and Fox Nation of Missouri in Kansas and Nebraska NAGPRA department have determined the above project as:

No objections. However, if human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, please stop immediately and notify NAGPRA representative, Deanne Bahr, at the address above.

There are two other bands of Sac and Fox that also need to be contacted, the Sac and Fox Nation of Oklahoma and the Sac and Fox of the Mississippi in Iowa.

Johnathan Buffalo, NAGPRA Representative
Sac and Fox of the Mississippi in Iowa
349 Meskwaki Rd.
Tama, IA 52339-9629

Sandra Massey, NAGPRA Representative
Sac and Fox Nation of Oklahoma
Rt. 2, Box 246
Stroud, OK 74079

If you have any questions, please contact me at the number or address above.

Sincerely,

Deanne Bahr
Sac and Fox Nation of Missouri in Kansas and Nebraska
NAGPRA Contact Representative



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters
2984 Shawano Ave., P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Telephone 920-662-5100
FAX 920-662-5413
TTY Access via relay - 711

March 7, 2008

IN REPLY REFER TO: 8247

Kieth Sowinski, P.E.
Wisconsin Department of Transportation
944 Vanderperren Way
P.O. Box 28080
Green Bay, WI 54324-0080

SUBJECT: DOT/DNR Initial Project Review
Project I.D.#: 1133-10-00
Project Title: USH 41 and IH 43 Interchange Reconstruction
Highway: USH 41, Memorial Drive to CTH M
County: Brown

Dear Mr. Sowinski:

The Department has been actively working with WDOT for several years on this project, which includes rebuilding the USH 41 and IH 43 Interchange in the Village of Howard, as part of the larger 6-lane expansion of USH 41 project. The purpose of this letter is to provide the Department comments associated with the current alignment proposal.

WETLANDS

As previously discussed most of the surrounding landscape contains wetlands. According to your letter approximately 75 acres of wetland could be impacted as part of this project. These wetlands are mostly associated with Green Bay, Duck Creek, and Beaver Dam Creek. Some of the wetlands are currently being infested with invasive *Phragmites* sp. (*phragmites australis*) while others still contain an abundance of diverse vegetation.

These wetlands provide many benefits such as quality fish and wildlife habitat, flood storage, and water quality for storm water drainage. The Department worked with DOT to identify the area resources and categorize them into zones. Wetlands, which are zone 4, are considered an integral part of many of the other zones.

The proposed alignment would have unavoidable impacts to wetlands. To minimize these impacts (both temporary and permanent) it will be critical maintain as small as footprint as practical.

WILDLIFE/FISHERIES

Duck Creek, which empties into Green Bay, has a year-round warm water fishery in this area. There is an access point at West Deerfield Ave. which is used to access not only Duck Creek but also Green Bay. Deerfield Docks Park provides fishing piers for Duck Creek. Duck Creek is important for fish (i.e. northern pike) during the spring spawning season.

Beaver Dam Creek empties into Duck Creek and is used by fish from Green Bay and Duck Creek. Beaver Dam Creek has a history of human manipulation. There is evidence of channelization and a large scale

realignment for the STH 29 and USH 41 interchange project is being planned. Beaver Dam Creek is used by fish during the spring spawning season.

Green Bay contains a year-round warm water and cool water fishery. Typical warm water fish species found in Green Bay, Duck Creek and Beaver Dam Creek include northern pike, yellow perch, channel catfish, white sucker, carp, smallmouth bass, largemouth bass, sunfish, and other forage and rough fish species. Cool water fish include walleye and salmonids. The shoreline along Green Bay at this location historically has been inundated when Green Bay water levels are higher. Even with the current lower water levels this area still provides some the most significant fish and wildlife habitat in the area.

These waterways also provide a wildlife corridor in an expanding urbanized area. Wildlife will use the banks and surrounding lands of the waterways to travel. Constrictions of this area (i.e. bridge abutments) can create "predator traps", areas where prey are concentrated, or create barriers for wildlife movement. Providing adequate wildlife passage under the roadways will minimize the potential for wildlife crossing travel lanes.

As noted above the wetlands surrounding this project provide high quality fish and wildlife habitat. The area is popular for a wide variety of recreational activities from fishing, to hunting to other non-consumptive uses. The project as proposed will have both temporary and permanent impacts to this habitat. Loss of wetlands by direct fill, the increase of the disturbed area from the larger footprint, and the potential to spread invasive species such as *Phragmites* sp. are examples of impacts from this project. These impacts must be considered in the design, timing of construction, and methods of construction in order to minimize the impacts.

ENDANGERED RESOURCES

An endangered resource review indicates several federal and/or state endangered, threatened, and special concern species in the immediate area. Of the twenty seven records that have been noted in this area seven are listed as endangered and five are listed as threatened. Below is a list of the endangered, threatened and special concern species:

Endangered

- Peregrine Falcon (*Falco peregrinus*)
- Snowy Egret (*Egretta thula*)
- Forster's Tern (*Sterna forsteri*)
- Caspian Tern (*Sterna caspia*)
- Common Tern (*Sterna hirundo*)
- Purple False Oats (*Trisetum melicoides*)

Threatened

- Great Egret (*Ardea alba*)
- Wood Turtle (*Clemmys insculpta*)
- Blanding's Turtle (*Emydoidea blandingii*)
- Yellow Gentian (*Gentiana alba*)
- Seaside Crowfoot (*Ranunculus cymbalaria*)

Special Concern

- Common Moorhen (*Gallinula chloropus*)
- Bald Eagle (*Haliaeetus leucocephalus*)
- Black-crowned Night Heron (*Nycticorax nycticorax*)
- Cattle Egret (*Bubulcus ibis*)
- American White Pelican (*Pelecanus erythrorhynchos*)
- Mulberry Wing (*Poanes Massasoit*)
- Broad-winged Skipper (*Poanes viator*)

- Bullfrog (*Rana catesbeiana*)
- Crinkled Hairgrass (*Deschampsia flexuosa*)
- Northern Bog Sedge (*Carex gynocrates*)
- Marsh Bedstraw (*Galium palustre*)

In addition to these species there are two natural areas near the project boundary, which will not be impacted by the project, but need to be considered.

The Department offers the following comments for minimizing the potential for negative impacts to endangered resources:

1. Wood turtles and Blanding's turtles (both State Threatened) are known to inhabit areas near the project boundary therefore it is reasonable to assume that these turtles may be present at the project site. If project construction will start in the spring, the perimeter of the area to be disturbed should be protected with 'turtle fence', which consists of properly trenched-in silt fence with turtle turnarounds at the ends, prior to March 15 to discourage turtles from entering the work area. If the construction area cannot be fenced by March 15, the turtle fence must be installed prior to construction activities and the area behind the turtle fence must be surveyed and any turtles confined within the project area removed prior to any site disturbance, and throughout the construction period.
2. The Department recommends a survey of the project area for nesting birds, particularly the common tern, black-crowned night heron, and cattle egret during the nesting season the year prior to construction to determine if a nesting date restriction will be necessary. The survey technique for these birds should include a ground count of the project area once a week from May 15th to June 30th to determine either presence or absence (counts of adults will suffice) or the number of nests per breeding species.
3. To ensure that endangered resource impacts are adequately addressed as project designs are better defined another review of endangered resources should be conducted before final design is completed. This will ensure any new information on the species (presence or absence) and their proximity to the proposed project impacts will be considered in the final design.
4. Although a number of wetland plants listed above have been found within the project area, much of those wetlands are now dominated by *Phragmites* sp. Some of these plant species may still occur within the project area if suitable habitat for the species still occurs. A habitat assessment for the species can be conducted as part of the wetland assessment (cover type) for the project area. Please provide a copy of the wetland delineation report to Lisie Kitchel of the Bureau of Endangered Resources to determine if suitable habitat remains.

GENERAL COMMENTS

1. All equipment must be properly cleaned and disinfected to address the spread of invasive species and viruses. Special provisions should require contractors to implement the following before and after mobilizing in-water equipment to prevent the spread of viral hemorrhagic septicemia (VHS) and other invasive species:
 - a. **Inspect** boats, trailers, tracked vehicles, silt or turbidity barrier, pumps, barges, boats, etc. and **Remove** aquatic plants, animals and mud.
 - b. **Drain** all water from boats, motors, pumps, equipment, and any other areas where water may be trapped.
 - c. **Dispose** of debris in the trash prior to leaving the area.
 - d. Follow disinfection protocols described at http://dnr.wi.gov/fish/documents/disinfection_protocols.pdf.

To get up to date information on invasive species and infested waters go to <http://www.dnr.state.wi.us/invasives/>.

In addition, all equipment used in waterways and wetlands should be properly cleaned prior to and after used to remove plants, seeds, soil, etc. that may contain invasive plants such as reed canary grass (*Phalaris arundinacea*), giant reed grass (*Phragmites australis*), purple loosestrife (*Lythrum salicaria*). Your assistance with this effort will help make Wisconsin's waterways cleaner and more fishable.

All seed mixes and vegetation plans should address ways to keep invasive species out of disturbed areas both under temporary and permanent conditions. This will ensure invasives are not spread further along the road corridor as a result of this project.

2. There will be wetland impacts associated with this project and therefore wetland impacts must be minimized and/or avoided to the greatest extent possible. Unavoidable wetland impacts must be mitigated in accordance to the DOT/DNR Cooperative Agreement and the Wisconsin Department of Transportation Wetland Mitigation Banking Technical Guideline. The Department will work with DOT to address the unavoidable wetland impacts.
3. The project as proposed would require acquisition of Department owned lands. Replacement lands of equal value and as agreed to by our property manager(s) and grants staff will be required.
4. Any impacts on previously funded grant projects may require a standard "Request for Conversion". Conversion packages from the grant recipient must be routed to the Department for approval. In the case of federally funded projects conversion packages, which have received preliminary DNR approval, will be forwarded to the appropriate federal agency for final approval.
5. Structure removal must conform with 203.3.6.2, Removing Old Structure Over Waterway With Minimal Debris, which states: during superstructure removal, prevent all large pieces and minimize the number of small pieces from entering the waterway or wetland. Remove all reinforcing steel, all concrete, and all other debris that falls into the waterway or wetland. Limited amounts of small pieces of concrete scattered over the waterway floor or wetland may be left in place only if the engineer allows.
6. The bridges should be inspected for evidence of swallow nesting. If evidence exists then swallow nests with eggs and/or young cannot be disturbed between May 15 and August 20 of a given year. If the proposed construction schedule will conflict with the swallow nesting period, means of preventing swallows from nesting on the bridge must be implemented. For further information, please contact the U.S. Fish and Wildlife Service at 920-465-7440.
7. Due to the use of the waterways by spawning fish such as northern pike, walleye, suckers and redhorse during the spawning season all instream work must be avoided between March 1 and June 15 of the construction years.
8. All impacted banks must be permanently stabilized. To provide amphibian and reptile friendly bands, the used of rip rap should only be used when necessary and the voids should be filled with smaller stone to eliminate traps for young turtles, frogs, etc.
9. All construction should take place outside of the waterways with the exception of pier construction. If causeways or temporary haul roads will be needed the Department must be consulted.
10. This project must comply with the floodplain and backwater requirements contained in Section VII of the DOT/DNR Cooperative Agreement.

11. All demolition material generated as a result of this project must be disposed of according to state law.
12. Proper erosion control measures must be used and maintained during and after construction. An erosion control implementation plan for the project should include the use of erosion mat that will not ensnare animals along stream banks or wetlands and must be developed by the contractor and submitted to this office 14 days prior to the preconstruction conference.

SPECIFIC COMMENTS

IH 43 segment

1. The IH 43 northbound (NB) to USH 41 southbound (SB) ramp is currently located on or near piles of waste material placed on the site more than 20 years ago. The Department would prefer that as little fill as possible be placed on the waterway side of these piles. If fill for the ramp goes outside of the waste fill the Department recommends bridging this area.
2. Removal of these waste piles not occupied by the interchange may provide an opportunity for onsite wetland mitigation.
3. The fill for the IH 43 NB to USH 41 SB ramp could reduce flood storage by bisecting wetlands. Extending the bridge length and/or placing culverts in the fill would help address this issue as well as provide a larger area for wildlife passage under the travel lanes.
4. There appears to be at least one ditch and culvert crossing closer to Military Ave. This and any other crossings must be maintained because they may be used for spawning and as wildlife crossings.
5. The Department supports the 60 mph design speed for the IH 43 NB to USH 41 SB and USH 41 NB to IH 43 SB ramps. Tightening these ramps helps minimize the adverse environmental impacts.
6. The Department recommends avoiding impacts to the WI Public Service wetland mitigation site from the USH 41 NB to IH 43 SB.
7. The Department supports removal of the old road cores from the current alignment. This may also provide onsite wetland mitigation.

USH 41 south segment

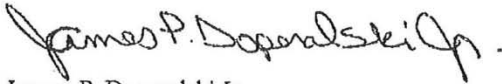
1. The Department does not oppose the proposed 340 foot culvert for the Beaver Dam Creek crossing. However we will work with DOT during the design phase to minimize impact to the fishery from the increased length of the culvert. Placing the culvert bottom below the stream bed and providing adequate depth and flow are some of the issues we will want to discuss.
2. While the Department prefers the access to Weitor Warf Park come from Velp Ave, immediately west of USH 41 we are willing to work with DOT on the current proposed access route, which extends Memorial Drive along the Canadian National railroad and crosses the railroad west of USH 41.
3. Under the proposed alignment several building will be removed. Demolition and disposal of demolition material must be in accordance with state law.

USH 41 north segment

1. The Department recommends the two bridges over Duck Creek be long enough to provide a vegetated path along the banks of Duck Creek. This will provide a crossing for the listed turtles as well as other animals, eliminate interaction with live traffic and reduce the risk of creating a "predator trap". This would also allow people to cross under the highway.
2. The Department does not oppose shortening East Deerfield Ave. provided access to state land is maintained.
3. It should be noted that the area between West Deerfield Ave. and the SB USH 41 onramp is being considered for wetland mitigation site for the expansion of the CTH M (Lineville Rd.) Park and Ride just to the east

The above comments represent the Department's initial concerns for the proposed project and do not constitute final concurrence. Final concurrence will be granted after review of plans and further consultation. If any of the concerns or information provided in this letter requires further clarification, please contact this office at (920) 662-5119.

Sincerely,



James P. Doperski Jr.
Environmental Analysis and Review Specialist

cc. Tim Mella – Green Bay
Dave Rowe – Green Bay
Joe Henry – Green Bay
Chris Halbur – Green Bay
Terry Gardon - Peshtigo
Lisie Kitchel – ER/6
Mike Helmrick – DOT NER, Green Bay
Linda Kurtz - USACOE